

EIGHTH YEARBOOK  
OF THE  
LEAGUE OF NATIONS

---

RECORD OF 1927

WORLD PEACE FOUNDATION

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# LEAGUE OF NATIONS

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RECORD OF 1927

WORLD PEACE FOUNDATION PAMPHLETS  
40 MT. VERNON STREET, BOSTON

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THE

WORLD RECORD

BOOK



# CONTENTS

I.	ORGANS OF THE LEAGUE:	PAGE
	1. Membership . . . . .	1
	2. Eighth Assembly . . . . .	3
	3. The Council . . . . .	5
	4. The Secretariat . . . . .	9
	5. Budget . . . . .	12
	United States payments . . . . .	14
	Supervisory Commission . . . . .	15
	League buildings . . . . .	16
	American gift for Library . . . . .	17
II.	THE LEAGUE AND MEMBER STATES:	
	The Tirana incident . . . . .	20
	The Cecil resignation . . . . .	23
	Private Council conversations . . . . .	24
	Panama Canal Zone régime . . . . .	31
	British Parliamentary vote . . . . .	35
III.	ECONOMICS AND FINANCE:	
	1. The International Economic Conference . . . . .	36
	2. Conference on Import and Export Prohibitions . . . . .	43
	3. Convention on Execution of Arbitral Awards . . . . .	48
	4. The Economic Organization . . . . .	49
	Economic Committee . . . . .	53
	5. Financial Committee . . . . .	60
	Double taxation . . . . .	60
	Counterfeiting currency . . . . .	63
	Bulgarian refugee settlement . . . . .	64
	Greek refugee settlement . . . . .	65
	Loan contracts . . . . .	66
IV.	ARBITRATION, SECURITY, DISARMAMENT:	
	1. General Survey . . . . .	73
	2. Program of future work . . . . .	77
	3. Armament . . . . .	78
	Preparatory Commission for the Disarmament	
	Conference . . . . .	78
	Soviet Union proposal . . . . .	80
	Committee of Experts on Civil Aviation . . . . .	82
	Committee of Experts on National Defense	
	Budgets . . . . .	84
	4. Arbitration and Security . . . . .	85
	Committee on Arbitration and Security . . . . .	85
	Aggression and pacific settlement . . . . .	86
	Compulsory arbitration . . . . .	88
	5. Execution of the Covenant . . . . .	89
	6. Private manufacture of arms . . . . .	98
V.	SETTLEMENT OF DISPUTES:	
	German minorities in Upper Silesia . . . . .	100
	Hungaro-Rumanian Mixed Arbitral Tribunal . . . . .	104
	Memel elections . . . . .	108
	The Cruiser <i>Salamis</i> . . . . .	109
	Lithuanian-Polish relations . . . . .	112

130194

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VI.	PRESS AND INTELLECTUAL COOPERATION:	PAGE
	1. Conference of Press Experts . . . . .	118
	2. Organization on Intellectual Cooperation . . . . .	122
	National Committees . . . . .	123
	Intellectual workers . . . . .	123
	Instruction in the principles and work of the League . . . . .	124
	International Institute of Intellectual Cooperation . . . . .	127
	Motion pictures . . . . .	128
	Subcommittee on Arts and Letters . . . . .	129
	Subcommittee on Bibliography . . . . .	131
	Subcommittee on Intellectual Rights . . . . .	132
	Subcommittee for University Relations . . . . .	133
VII.	HEALTH ORGANIZATION:	
	Cooperation with Office International . . . . .	135
	Special epidemic activities . . . . .	136
	Interchanges of personnel . . . . .	138
	Latin American activities . . . . .	139
	Pacific Health survey . . . . .	141
	International Rabies Conference . . . . .	142
	Committee work . . . . .	143
VIII.	TRAFFIC IN OPIUM:	
	Advisory Committee . . . . .	147
	Persian production . . . . .	149
	Control of manufacture . . . . .	149
IX.	PROTECTION OF WOMEN AND CHILDREN:	
	Work of Advisory Commission . . . . .	153
	1. Traffic in Women and Children . . . . .	153
	2. Child Welfare . . . . .	156
	3. Protection of Women and Children in the Near East . . . . .	158
X.	RELIEF OF DISTRESS AND REFUGEES:	
	1. Conference establishing an International Relief Union . . . . .	159
	2. Refugee problems . . . . .	162
XI.	COMMUNICATIONS AND TRANSIT:	
	1. Third General Conference . . . . .	166
	2. Advisory and Technical Committee . . . . .	169
	Ports and maritime navigation . . . . .	170
	Combined transport . . . . .	172
	Road traffic . . . . .	172
	Memel Harbor Board . . . . .	173
	3. The Straits Commission . . . . .	173
XII.	MANDATES:	
	Permanent Mandates Commission . . . . .	175
	Mandated territories . . . . .	176
	Iraq . . . . .	176
	Syria and Lebanon . . . . .	177
	Status of mandate . . . . .	178
	Petitions . . . . .	179
XIII.	ADMINISTRATION OF TERRITORY:	
	1. Saar Basin . . . . .	180
	2. Danzig . . . . .	183
XIV.	PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW:	
	Conference . . . . .	186
	The Preparatory Committee . . . . .	187

# THE EIGHTH YEARBOOK OF THE LEAGUE OF NATIONS

## I. ORGANS OF THE LEAGUE

### 1. Membership

[For historical summary, see *Yearbook*, 1925, p. 379.]

#### MEMBERS OF THE LEAGUE OF NATIONS, JANUARY 1, 1928 — 55

State	Member from	State	Member from
ABYSSINIA	Sept. 28, 1923	IRISH FREE STATE	Sept. 10, 1923
ALBANIA	Dec. 17, 1920	ITALY	Jan. 10, 1920
ARGENTINA	July 18, 1919	JAPAN	Jan. 10, 1920
AUSTRALIA	Jan. 10, 1920	LATVIA	Sept. 22, 1921
AUSTRIA	Dec. 15, 1920	LIBERIA	June 30, 1920
BELGIUM	Jan. 10, 1920	LITHUANIA	Sept. 22, 1921
BOLIVIA	Jan. 10, 1920	LUXEMBURG	Dec. 16, 1920
BRAZIL <sup>1</sup>	Jan. 10, 1920	NETHERLANDS	March 9, 1920
BRITISH EMPIRE	Jan. 10, 1920	NEW ZEALAND	Jan. 10, 1920
BULGARIA	Dec. 16, 1920	NICARAGUA	April, 1920
CANADA	Jan. 10, 1920	NORWAY	March 5, 1920
CHILE	Nov. 4, 1919	PANAMA	Jan. 10, 1920
CHINA	July 16, 1920	PARAGUAY	Dec. 26, 1919
COLOMBIA	Feb. 16, 1920	PERSIA	Nov. 21, 1919
CUBA	March 8, 1920	PERU	Jan. 10, 1920
CZECHOSLOVAKIA	Jan. 10, 1920	POLAND	Jan. 10, 1920
DENMARK	March 8, 1920	PORTUGAL	April 8, 1920
DOMINICAN		RUMANIA	April 7, 1920
REPUBLIC	Sept. 29, 1924	SALVADOR	March 10, 1920
ESTONIA	Sept. 22, 1921	SERB-CROAT-	
FINLAND	Dec. 16, 1920	SLOVENE STATE	Feb. 10, 1920
FRANCE	Jan. 10, 1920	SIAM	Jan. 10, 1920
GERMANY	Sept. 8, 1926	SOUTH AFRICA	Jan. 10, 1920
GREECE	March 30, 1920	SPAIN <sup>2</sup>	Jan. 10, 1920
GUATEMALA	Jan. 10, 1920	SWEDEN	March 9, 1920
HAITI	June 30, 1920	SWITZERLAND	March 8, 1920
HONDURAS	Nov. 3, 1920	URUGUAY	Jan. 10, 1920
HUNGARY	Sept. 18, 1922	VENEZUELA	March 3, 1920
INDIA	Jan. 10, 1920		

<sup>1</sup> Notice of withdrawal effective June 11, 1928. It has been reported that reconsideration is contemplated. An invitation to cancel the notice has been sent by the Council.

<sup>2</sup> Responsive to an invitation of the Council of March 9, 1928, the Spanish Government decided not to withdraw from the League in accordance with its notice of September 12, 1926. The Government in the note announcing its decision trusted



**Argentina.** The participation of Argentina in the League of Nations has been an executive matter. Approval of the Covenant by the Congress had not taken place when the Government sent a delegation to the First Assembly. After several years' absence, the Government paid its back financial quota and has since made regular payments and has participated generally in the work of the League. The ordinary session of the Argentine Parliament came to an end September 30, 1926, without approval of the Covenant. The minister of foreign affairs, after a visit to Geneva, has forecast that in the session beginning early in 1928 the matter will come before the Congress and that its approval of executive ratification of the Covenant, which is supported by the Government, will command a majority.

STATES NOT MEMBERS — 9

AFGHANISTAN	NEJD, SULTANATE OF
COSTA RICA <sup>1</sup>	TURKEY
ECUADOR	UNION OF SOCIALIST SOVIET
EGYPT	REPUBLICS
MEXICO	UNITED STATES OF AMERICA

**Iraq.** The Kingdom of Iraq was originally contemplated as a mandate; however, its progress in self-government since its organization was so rapid that Great Britain, to which the mandate was originally assigned, has never assumed the position of a mandatory, but rather has established relations under a series of treaties with the approval of the Council.<sup>2</sup> The latest development of this sort was the treaty signed at London, December 14, 1927, Art. 8 of which says:

Provided the present rate of progress in Iraq is maintained and all goes well in the interval, his Britannic Majesty will support the candidature of Iraq for admission to the League of Nations in 1932.

"that the Assembly will determine the form and position to which Spain is entitled in order that her participation may be efficacious and useful and in conformity with her special situation as a great neutral power during the late war and her ancient position of creator of civilized nations."

<sup>1</sup> Notice of withdrawal effective December 31, 1926.

<sup>2</sup> See *Yearbook*, 1925, p. 486.



## 2. Eighth Assembly

The Assembly sat from September 5-27. Forty-nine states Members were represented:

Abyssinia, Albania, Australia, Austria, Belgium, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, Nicaragua, Norway, New Zealand, Panama, Paraguay, Persia, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, South Africa, Sweden, Switzerland, Uruguay, Venezuela.

The Argentine Republic, Bolivia, Brazil, Honduras, Peru and Spain, did not send delegates.

The heads of the Assembly delegations included the President of the Swiss Confederation, the prime ministers of Luxemburg and Lithuania, and the 21 foreign ministers of Albania, Belgium, Great Britain, Bulgaria, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Latvia, Lithuania, Netherlands, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Sweden.

The Assembly held 22 plenary meetings, ten of which were devoted to the general debate on the work of the Council and Secretariat since last session.<sup>1</sup> Thirty speakers took part in the discussion, which centered on the questions of arbitration, security and the reduction of armaments, the work of the Economic Conference, the codification of international law and the methods of work of the Council.

**Officers and Committees.** Enrique Villegas (Chile) as acting president of the Council opened the Assembly with a speech in which he reviewed the ever increasing field of the League's international work. He presided during the

<sup>1</sup> *Report on the Work*. . . (A. 13 and 13 (a). 1927. General Questions, 3 and 7.)

election of Alberto Guani, first delegate of Uruguay, as president of the Assembly.

The Assembly divided its work among six committees as in previous years. Each state is entitled to be represented by one delegate upon each committee. The business of the Assembly was distributed to the committees as follows:

1. *Legal and Constitutional Questions*: Accessions to international agreements given subject to ratification; progressive codification of international law. Chairman, M. Adatci (Japan); vice-chairman, M. Zahle (Denmark).

2. *Technical Organizations*: Report of the International Economic Conference; reports of the Economic and Financial Organization, of the Health Organization, of the Organization for Communications and Transit, and of the Committee on Intellectual Cooperation. Chairman, M. Dandurand (Canada); vice-chairman, M. Veverka (Czechoslovakia).

3. *Reduction of Armaments*: Arbitration, security and reduction of armaments, obligations incumbent upon states Members in case of emergency to facilitate the meeting of the Council by every means in their power. Chairman, M. Benes (Czechoslovakia); vice-chairman, M. Guerrero (Salvador).

4. *Budget and Financial Questions*: Chairman, M. van Eysinga (Netherlands); vice-chairman, M. de Vasconcellos (Portugal).

5. *Social and General Questions*: Protection and welfare of children and young people; protection of women and children in the Near East; traffic in opium; Armenian and Russian refugees. Chairman, M. Hambro (Norway); vice-chairman, Hussein Khan Ala (Persia).

6. *Political Questions*: Slavery convention, mandates, system of the single transferable vote and proportional representation in connection with the election of nonpermanent members of the Council. Chairman, M. Bech (Luxemburg); vice-chairman: Count Apponyi (Hungary).

The chairmen of the committees are *ipso facto* vice-presidents of the Assembly.

The General Committee is composed of the president and the 12 vice-presidents, six of whom are elected. A proposal of the president that M. Motta, President of the Swiss Confederation, should be appointed as honorary member of the General Committee, was adopted by acclamation. The vice-presidents elected by the Assembly were as follows:

Vittorio SCIALOJA (Italy);	Gustav STRESEMANN (Germany);
Aristide BRIAND (France);	Alfred NEMOURS (Haiti);
Sir Austen CHAMBERLAIN (British Empire);	Count Albert MENSENDORFF-POULLY-DIETRICHSTEIN (Austria).

The General Committee has much to do with the management of the Assembly, determining the time of plenary meetings, their agendas, etc. In addition there is an Agenda Committee, which decides on the disposition of proposals made in the course of the session. As this duty is a delicate one, great care is taken to have on it representatives of states which will fully reflect the general opinion of the Assembly. The 1927 Agenda Committee was composed as follows:

Louis DE BROUCKÈRE (Belgium) (Chairman);	François SOKAL (Poland);
Dr. E. A. MORALES (Panama);	Wilis SCHUMANS (Latvia);
H. H. Prince VARNVAIDYAKARA (Siam);	Dr. A. J. RESTREPO (Colombia);
	J. A. COSTELLO (Irish Free State).

### 3. The Council

The Council met during 1927 as follows:

- 44. Geneva, March 7-12.
- 45. Geneva, June 13-17.
- 46. Geneva, September 1-15.
- 47. Geneva, September 17-28.
- 48. Geneva, December 5-12.

**Members.** Membership in the Council was subject for the second time to the rules adopted by the Assembly on September 15, 1926.<sup>1</sup> By this system elected nonpermanent Members take office when elected, and as a consequence, there is a reorganization of the Council in September during the session of the Assembly. The membership during 1927 was as follows:

<sup>1</sup> See *Seventh Yearbook*, p. 184.

*Permanent:* British Empire, France, Germany, Italy, Japan.

January 1–September 15:

*Nonpermanent:* Belgium, Chile, China, Colombia, Czechoslovakia, Netherlands, Poland, Rumania, Salvador.

September 15–September , 1928:

*Nonpermanent:* Canada (1930),<sup>1</sup> Chile (1929), China (1928), Colombia (1928), Cuba (1930), Finland (1930), Netherlands (1928), Poland (1929),<sup>2</sup> Rumania (1929).

On September 15, the Assembly elected Cuba, Finland and Canada to sit on the Council for three years, the retiring Members being Belgium, Salvador and Czechoslovakia. A secret ballot was taken by roll-call. Forty-nine votes were cast, the absolute majority being 25. Cuba obtained 40, Finland 33, and Canada 26 votes.

Belgium, which had sat on the Council since 1920, had requested that it be declared reeligible under the rules adopted in 1926 by which the reeligibility of nonpermanent Members may be decided by the Assembly by a two-thirds majority. The number of votes cast was 48, the absolute majority 32. Belgium obtained 29 votes, three less than the number required. M. Emile Vandervelde (Belgium) expressed his conviction that the votes against the proposal had been given on grounds of principle, and did not represent any feeling against his country which, needless to say, would continue to cooperate wholeheartedly in the work of the League.

The question of the single transferable vote and proportional representation in connection with the election of the nonpermanent Members of the Council, raised at the Seventh Assembly by the Norwegian delegation, was discussed anew. The Eighth Assembly, in agreement with the authors of the proposal, came to the conclusion that,

<sup>1</sup> The parenthesized dates indicate the September to which the term of the Member extends.

<sup>2</sup> Also reeligible for further term of three years.



were the principle of proportional representation to be adopted, the single transferable vote system could be applied to Council elections. But the present system should be given a fair trial and should not be changed at this time.

**Temporary Members.** By Art. 4, par. 5, of the Covenant any Member of the League not represented on the Council is entitled to representation as a Member during consideration of matters specially affecting its interests. The same principle is applied to non-Members of the League, and of organizations both of League and non-League origin. The following were represented during the sessions of the Council in 1927:

*44th Session.* — Australia, Bulgaria, Free City of Danzig, Estonia, Greece, Hungary, Persia, Serb-Croat-Slovene State, Union of South Africa; Advisory Committee on Traffic in Opium and Other Dangerous Drugs, Commission for Bulgarian Refugee Settlement, Economic Committee, Financial Committee, Greek Refugee Settlement Commission, Health Committee, Permanent Mandates Commission, Saar Basin Governing Commission, Special Body of Experts on the Extent of the International Traffic in Women and Children.

*45th Session.* — Bulgaria, Finland, Free City of Danzig, Greece, Hungary, Lithuania; Bulgarian Refugee Settlement Commission, Committee on Traffic in Opium and Other Dangerous Drugs, Committee on Traffic in Women and Children, Danzig Harbor Board, Greek Refugee Settlement Commission, Health Committee, High Commissioner for Refugees.

*46th Session.* — Australia, Bulgaria, Finland, Free City of Danzig, Greece, New Zealand, Union of South Africa; Bulgarian Refugee Settlement Commission, Committee on Communications and Transit, Conference of Press Experts, Greek Refugee Settlement Commission, High Commissioner for Refugees, Permanent Mandates Commission.

*47th Session.* — Bulgaria, Free City of Danzig, Greece, Hungary; Bulgarian Refugee Settlement Commission, Greek Refugee Settlement Commission, High Commissioner for Refugees.

*48th Session.* — Bulgaria, Free City of Danzig, Greece, Hungary, Lithuania, Portugal; Advisory Committee on Traffic in Opium and Other Dangerous Drugs, Bulgarian Refugee Settlement Commission, Committee on Child Welfare, Committee on Traffic in Women and Children, Economic Committee, Financial Committee, Greek Refugee Settlement Commission, Health Committee, High Commissioner for Refugees, International Labor Office.

**Number of Meetings Annually.** In March, the Council on the proposal of the British representative requested the Secretary-General to submit at its next session a report on reducing the yearly number of regular Council sessions from four to three. The British representative thought such a measure would facilitate the task of foreign ministers who represented their countries on the Council. In his report, the Secretary-General noted that, as far as could be judged at present, the reduction of the number of sessions would not cause serious difficulties from an administrative point of view.<sup>1</sup>

On June 13, Sir Austen Chamberlain said that his suggestion appeared to have given rise to needless anxiety and suspicion. He was unable to understand how the interests of the Assembly or of Members of the League could be prejudiced by the proposal to hold three regular sessions in the year instead of four. The change required mature consideration and reflection and should only be adopted if it received the general support of the Council and the Assembly. He accordingly proposed that the matter should be considered again by the Council as constituted after the September elections.<sup>2</sup>

The Council on December 7 and 9 heard an exchange of views between the British, Canadian, Chilean, Chinese, Colombian, French, German, Japanese and Netherlands representatives, and decided that the present system should remain in force until next Assembly.<sup>3</sup>

**Rapporteurs.** The rules of procedure of the Council have from the beginning provided that questions considered by that body should be examined and reported upon by the representatives of Members neutral to the subject matter. On February 2, 1923, the experience of the previous three years was consolidated into a list of subjects and rapporteurs. With a change in the composition of the Council in 1926, the list was revised, and annual

<sup>1</sup> *Official Journal*, VIII, p. 819.

<sup>2</sup> Same, p. 743.

<sup>3</sup> Same, IX, p. 141, 173.

revision, in view of the changes in states represented on the Council, has since been required. On September 27, 1927, the following list of rapporteurs for 1927-28 was approved at the 47th Session of the Council: <sup>1</sup>

1. Financial questions . . . . .	Finland
2. Economic questions . . . . .	Germany
3. Transit Committee . . . . .	Poland
4. Health . . . . .	Japan
5. International law . . . . .	Italy
6. Finances of the League of Nations . . . . .	Cuba
7. International bureaus . . . . .	China
8. Mandates . . . . .	Netherlands
9. Minorities . . . . .	Colombia
10. Armaments . . . . .	Rumania
11. Saar . . . . .	Italy
12. Danzig . . . . .	Chile
13. Intellectual Cooperation . . . . .	France
14. Opium . . . . .	Canada
15. Traffic in Women and Children . . . . .	Great Britain
16. Humanitarian questions . . . . .	Poland
17. Child Welfare . . . . .	Canada
18. Press Conference . . . . .	Cuba

#### 4. The Secretariat

The Secretariat comprises the Secretary-General, Sir Eric Drummond, and about 475 men and women of some 40 nationalities. Appointments are made by the Secretary-General, with the approval of the Council. However, the Secretary-General has established Staff Regulations which in large measure control nominations for appointment.

The Secretariat includes a Deputy Secretary-General (French) and three Under Secretaries-General (German, Italian and Japanese), who have charge respectively of Internal Administration and, as directors, of the Section of International Bureaus and Intellectual Cooperation, and of the Political Section. Included in the General Organization are the Information Section and its Liaison Offices in Paris, Rome, Budapest, The Hague, Tokyo and Turkey,

<sup>1</sup> *Official Journal*, VIII, p. 1449.

the Legal Section (which acts as counsel to all League organs and deals with all matters concerning the registration of treaties), and the Treasurer's Office.

The Special Organizations of the League are served by the following Sections of the Secretariat: Administrative Commissions and Minorities Questions, Economic and Financial, Mandates, Transit, Health, Social Questions and Opium Traffic, Disarmament, Intellectual Cooperation.

The Internal Administrative Services comprise the Personnel Office, Précis-Writing Department, Printing and Publications Department, Drafting Committee, Interpreters and Translators, Library, Registry and Indexing of Publications Service, Internal Control Office, Internal Services, Stationery, Supplies and General Contracts, Stenographers' Branch, Distribution of Documents, Miscellaneous Services and House Staff.

The complete Staff List is published annually in No. 1 of the *Official Journal*.

**Increase of Work.** The Council on December 10, 1926, requested the Secretary-General to submit a report on the existing conditions of work in the Secretariat. On June 14, the Council took note of a report in which the Secretary-General stated that "the work of the Secretariat in a material sense had increased continuously from its beginning in 1919 up to the present time. This increase had shown a tendency to operate more rapidly during the last 18 months than in the earlier periods."<sup>1</sup> This growth in the work of the Secretariat is illustrated by tables annexed to the report, bearing on (1) the number of days of meeting of the Council, the Assembly, conferences, committees and subcommittees (in 1926 there were 93 committee meetings with a total of 557 days of session as compared with 8 meetings and 124 days of session in 1920); (2) the number of documents filed in the Secretariat registry (58,436 in 1926 compared with 5,653 in 1919); (3) the number of postal dispatches (258,474 in 1926 compared with 237,586 in 1925); (4) the work of

<sup>1</sup> *Official Journal*, VIII, p. 822.



the Duplicating Service (89,348 stencils and 12,348,306 copies in 1926 compared with 55,410 stencils and 7,729,449 copies in 1923). Other figures show the increase in the work of the various Sections, in the number of publications, press communiqués, treaties registered, etc. The staff of the Secretariat, which numbered 183 in 1920, then comprised 467 officials. The increase of expenditure from 1921 to 1926 was small in proportion to the development of the work, being about 3%.

**Administrative Tribunal.** By the Covenant, the Secretariat comprises "a Secretary-General and such secretaries and staff as may be required." The secretaries and staff are appointed by the Secretary-General with the approval of the Council. Determination of the terms and condition of employment in the Secretariat have given rise to a minimum of difficulty, and in only a single instance has the question of an individual contract come before the Council. The Supervisory Commission had its attention directed in 1925 to the fact that officials of the League were unable to enforce the terms of their employment by any form of legal procedure. On the recommendation of its Fourth Committee, the Seventh Assembly approved a project to set up an administrative tribunal in order to provide a forum for disputes arising from staff contracts, and particularly to remove that administrative detail from the shoulders of the chiefs of League organizations. The Eighth Assembly on September 26, 1927, adopted a statute establishing such an administrative tribunal to be in force until the Assembly of 1931. The tribunal consists of three judges and three deputy-judges, all of different nationalities, and their judgments, which are final and without appeal, are to be taken by a majority vote, with the reasons therefor stated. The tribunal is competent for any disputes concerning compensation under the Staff Regulations. The tribunal was organized as of January 1, 1928. The Council appointed its members on December 9.<sup>1</sup>

<sup>1</sup> *Official Journal*, IX, p. 172.

### 5. Budget

The budget for the tenth<sup>1</sup> financial period (1928) was voted by the Assembly in the gross sum of 25,333,817 Swiss francs (\$4,888,244.69). This amount is allocated (in dollars) as follows:

I. Secretariat and Special Organizations .	\$2,668,398.68
II. International Labor Organization .	1,535,613.39
III. Permanent Court of International Justice	418,921.77
IV. Buildings at Geneva . . . .	265,310.85
	<hr/>
	\$4,888,244.69

The budget voted is offset by surplus of the previous period, amounting to 873,626.25 francs. As a consequence, the budgetary amount to be allocated was fixed at 24,460,190.75 francs (\$4,719,675.59). In addition there was a further effective reduction of the total.

Owing to new arrangements in the budget in 1926, it was decided to refund to Member states the Building Fund, which then existed, at the rate of 1,400,000 francs (\$270,134.68) annually until distributed. As a consequence, the net amount of the 1928 budget to be contributed by Member states amounted to 23,060,190.75 Swiss francs (\$4,449,540.91). Costa Rica, which ceased to be a Member of the League on January 1, 1927, was entitled to a refund.

There were also complications due to the fact that the Brazilian notice of withdrawal is presumably effective on June 11, 1928, and the Spanish notice on September 12, 1928. As a consequence, the budget for 1928 was allocated in 946 units, plus units proportional to the periods of membership during the year of Brazil and Spain. Brazil's unit basis for a full year was 29, the proportional part for the membership period being 13.07377. Spain's unit basis for a full year was 40, the proportional part for

<sup>1</sup> *Official Journal*, IX, No. 1.

the membership period being 27.75956. The 1928 budget is therefore allocated on the basis of 986.83333 units.

SCALE OF ALLOCATION OF THE EXPENSES OF THE LEAGUE FOR 1928

Country	Units	Country	Units
ABYSSINIA . . . . .	2	ITALY . . . . .	60
ALBANIA . . . . .	1	JAPAN . . . . .	60
ARGENTINA . . . . .	29	LATVIA . . . . .	3
AUSTRALIA . . . . .	27	LIBERIA . . . . .	1
AUSTRIA . . . . .	8	LITHUANIA . . . . .	4
BELGIUM . . . . .	18	LUXEMBURG . . . . .	1
BOLIVIA . . . . .	4	NETHERLANDS . . . . .	23
BRAZIL . . . . .	13.07377	NEW ZEALAND . . . . .	10
BULGARIA . . . . .	5	NICARAGUA . . . . .	1
CANADA . . . . .	35	NORWAY . . . . .	9
CHILE . . . . .	14	PANAMA . . . . .	1
CHINA . . . . .	46	PARAGUAY . . . . .	1
COLOMBIA . . . . .	6	PERSIA . . . . .	5
CUBA . . . . .	9	PERU . . . . .	9
CZECHOSLOVAKIA . . . . .	29	POLAND . . . . .	32
DENMARK . . . . .	12	PORTUGAL . . . . .	6
DOMINICAN REPUBLIC . . . . .	1	RUMANIA . . . . .	22
ESTONIA . . . . .	3	SALVADOR . . . . .	1
FINLAND . . . . .	10	SERB-CROAT-SLOVENE STATE . . . . .	20
FRANCE . . . . .	79	SIAM . . . . .	9
GERMANY . . . . .	79	SPAIN . . . . .	27.75956
GREAT BRITAIN . . . . .	105	SOUTH AFRICA (UNION OF) . . . . .	15
GREECE . . . . .	7	SWEDEN . . . . .	18
GUATEMALA . . . . .	1	SWITZERLAND . . . . .	17
HAITI . . . . .	1	URUGUAY . . . . .	7
HONDURAS . . . . .	1	VENEZUELA . . . . .	5
HUNGARY . . . . .	8		
INDIA . . . . .	56		
IRISH FREE STATE . . . . .	10		
			986.83333

The budget unit for 1928 on the amount voted, less surplus, was fixed at 24,811.11 Swiss francs (\$4,787.39). The largest quota — 105 units — paid by Great Britain amounts to 2,605,166.98 francs (\$502,675.67).<sup>1</sup>

**Financial Increase.** The Fourth Committee of the Assembly noted that the financial position of the League continued to be satisfactory. The payment of contribu-

<sup>1</sup> In addition the civil estimates of the London Government's budget included £64,300 in 1927 and £76,300 in 1928.

tions is being effected with greater regularity. Up to August 31, 68% of the contributions for 1927 had been paid.

The 1928 budget showed an increase of 821,194 francs over that of 1927. In its report to the Assembly, the Fourth Committee pointed out that this increase had not kept step with the new work intrusted to the League. Between 1922 and 1926, the budget had increased by 5% and the staff by 27%; during the same period, the number of documents translated into French increased by 89% and that of documents translated into English by 71%. During the same period, the documents passing through the Registry increased by 48%, and the number of days during which committees and subcommittees held meetings by 175%.

**United States Payments.** The American legation in Bern was authorized on January 6, 1928, to pay to the Secretariat of the League a total of \$16,748.60 (the check was for 83,743 Swiss francs) as the American share of the League Secretariat expenses in connection with certain conferences in which the United States participated. Of the total amount, \$5,475 was for the four sessions of the Preparatory Commission for the Disarmament Conference. The remainder met expenses for the Conference on Export and Import Prohibitions and Restrictions, and the Conference on Communications and Transit. The contribution was made at the suggestion of the United States Government on the basis of figures prepared by the Secretariat. The Department of State stated that "the American contribution is the same as the British, which is the largest sum hitherto paid by any country." From this it is to be concluded that the United States bases its payments upon the 105 units of the budget assigned to Great Britain. In addition to this payment, the United States Government buys documents from the League to the amount of \$400 annually.

Previous payments of a similar character were made in the amount of \$2,900 in 1925 as a result of participation



in the Second Opium Conference and of \$2,700 in connection with participation in the Conference on Traffic in Arms, also held in 1925.

### SUPERVISORY COMMISSION

The First Assembly examined the financial arrangements previously made by the Secretariat with great care, and on December 17, 1920, voted a recommendation that the Council "take the necessary steps to appoint, as soon as possible, a small committee of experts to consider all factors connected with the organization, method of work, efficiency, number, salaries and allowances of the staff, and with the general expenditure of the whole organization, as well as with all other points necessary to enable the Assembly to form a fair judgment in respect thereto, both as regards the Secretariat and the International Labor Office."

The Council invited a committee of five, headed by Georges Noblemaire, to carry out the function thus provided for. The committee began a preliminary investigation on April 18, 1921, and sat from April 26 to May 7, when it presented a report to the Council. This report was transmitted to the Second Assembly<sup>1</sup> which on October 5, 1921,<sup>2</sup> passed a recommendation that the committee be reappointed by the Council to continue its work and submit a further report. The Council on October 12, 1921, carried out this recommendation by appointing what was then called the Commission of Control. The name was subsequently retranslated as the Supervisory Commission.

The Supervisory Commission met as follows:

22. Geneva, February 16-17, 1927.
23. Geneva, April 27-30, 1927.
24. Paris, July 1-2, 1927.
25. Geneva, September 16-22, 1927.

<sup>1</sup> *Records of the Second Assembly. Meetings of the Committees*, II, p. 174.

<sup>2</sup> *Records of the Second Assembly. Plenary Meetings*, p. 595.

## LEAGUE BUILDINGS

At a public meeting on May 5, the Jury of Architects appointed to examine designs for a League Assembly Hall and offices announced the results of its six weeks' study of 377 plans which had been submitted. After examining the plans from the point of view of site, traffic inside and outside the buildings, arrangement and form of premises, construction and harmonious and logical architectural development, the jury in its report stated that it had found an extraordinary wealth of ideas, but that a considerable proportion of the competitors had not adhered strictly enough to the material conditions of the rules. The jury unanimously decided not to recommend any one plan for execution. It distributed the sum of 165,000 Swiss francs in nine prizes of 12,000 francs, nine honorable mentions of 3,800 francs, and nine honorable mentions of 2,500 francs each.

The League Building Competition opened on July 23, 1926, and closed on January 25, 1927. It was open to architects from all states Members of the League, the Free City of Danzig and the Saar Territory. The site is on the northern shore of Lake Geneva and covers an area of 66,406 square meters. The buildings to be designed consisted of two principal parts, either separate and connected by galleries, or in a single building with lobbies and special exits. The cost of construction was fixed at not more than 13,500,000 Swiss francs, the architects' fees at 5%. In accordance with the rules of competition the designs were publicly exhibited.

The Eighth Assembly approved the increase of the building fund from 15,400,000 francs to 19,500,000 francs and empowered a committee composed of Messrs. Adatci, Osusky, Politis, Urrutia and Sir Edward Hilton Young "to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which in its opinion complies most nearly with the practical

and æsthetic requirements. The decision of this committee will be submitted to the Council of the League of Nations for ratification, and will be communicated to the Assembly at the next session."

The committee met at Geneva from November 7 to 8 and from December 19 to 22, when it examined the nine designs in the light of conclusions contained in reports from the Secretariat and two specially appointed architects. It also studied a report from experts appointed by the Swiss Federal Government and the Canton of Geneva. The committee was unanimously of opinion that, under its terms of reference, it was obliged to choose one design, but could take into consideration features of other designs.

The committee concluded that the design which in its opinion most nearly satisfied practical and æsthetic requirements was that of H. P. Nénot and Julien Flegenhimer. It indicated disadvantages presented by this design. It decided that a new design should be prepared by the authors, in collaboration with Carlo Broggi, Giuseppe Vaccaro, Luigi Franzi, Camille Lefèvre and Giuseppe Vago and with the Secretariat of the League of Nations. They will be asked to prepare a new plan in order to give effect to the modifications suggested by the committee.

**American Gift for Library.** On September 9, the Secretary-General informed the Council that American citizens were prepared, should the League desire to accept outside funds for the purpose, to furnish up to \$2,000,000 for the construction and endowment of a League Library which would provide full and adequate facilities for research work and for students.<sup>1</sup> No conditions were attached to the gift. It was assumed, however, that the income from the endowment would be added to such amounts as the Assembly might from year to year appropriate for the Library and that those amounts would not be discontinued or reduced on account of the gift.

The Council decided that the establishment of such a Library would be in the best interests of the League. It

<sup>1</sup> *Official Journal*, VIII, p. 1132.

would contribute to the efficiency of the work done under its auspices, particularly in the technical fields, and would be of the utmost value to students of international relations, who are already more and more coming to the seat of the League as a natural center for such studies. The Council decided unanimously to accept the gift in principle and to ask the Assembly, in view of its importance and permanent value, to confirm this acceptance.

On September 12, the Council's resolution was read to the Assembly by President Guani (Uruguay), who called on certain members of the Assembly who had expressed a desire to speak. M. Motta, as President of the Swiss Confederation, associated the Confederation and the Canton of Geneva with the expressions of gratitude which had been so clearly shown in the applause which greeted the announcement, and expressed the belief that the co-operation of American intellectual circles in the great work being done at Geneva constituted a guaranty both of peace and for the future development of the League. M. Osusky (Czechoslovakia), as chairman of the Supervisory Commission, felt that the gift and its purpose were in perfect agreement with the financial rules and general purposes of the League, and expressed his pleasure that citizens of America had given this tangible proof of their appreciation of the efforts made by the League. M. van Eysinga (Netherlands), as chairman of the Fourth (Budget) Committee, associated himself with these views, adding that since the Library at The Hague had been endowed by another American, Mr. Andrew Carnegie, he as a Dutchman was particularly sensible of the significance of the gift. The President of the Assembly then added a general expression of appreciation on behalf of the 47 states represented. He expressed the view that through this gift the seat of the League would become an international center of information almost unique in the world. The Assembly thereupon unanimously confirmed the Council's acceptance of the gift.

The donor was announced as John D. Rockefeller, Jr.,



who, through the work of the Rockefeller Foundation, was already well known to those associated with the League, especially in its humanitarian and social aspects. Shortly after, Mr. Rockefeller, in reply to a cable from the Secretary-General, wired:

Happy to have opportunity to cooperate in so good a cause with a group unselfishly devoted to the promotion of better understanding among nations. Appreciate profoundly the action of Council, Assembly and Secretariat.

## II. THE LEAGUE AND MEMBER STATES

The League of Nations is a medium for the Member states to attain agreement upon matters of common interest. One important object of the Covenant is the creation of a forum for the settlement of international disputes "which can not be satisfactorily settled by diplomacy."

By reason of the large number of matters of common interest which the Member states seek to deal with through the League, what may be called a League policy has developed in many states. This is based upon the fact that the constituent Covenant of the League ranks as a treaty engagement. The internal discussion of policy usually revolves around the question of what is the national duty in view of the engagements taken. One view is that national affairs should be conducted so far as possible on the former individualistic basis; the other is that as wide a use as possible should be made of the League machinery.

Several incidents during 1927 resulted from the existence of these points of view. They led to wide public discussion of the proper adjustment of a state's relations with other states as affected by their common agreements under the Covenant. At least one involved the question of the use of League machinery prior to the exhaustion of the methods of diplomacy.

The debate was carried into the Eighth Assembly, where some phases of the discussion were the subject of very frank speeches which attracted much attention. The facts of the principal incidents referred to are briefly recorded below as a preface to the remarks in the Assembly.

### The Tirana Incident

A diplomatic incident at Tirana, Albania, in May created a press discussion which had its reflex on the Eighth Assembly. On May 27 an Albanian dragoman of

the Serb-Croat-Slovene legation was arrested on a charge of espionage. The Belgrad Government demanded his release on the ground that he was employed by the legation and was entitled to diplomatic immunity. The Albanian Government declined to release him, contending that he was an Albanian subject, did not appear on the diplomatic list and had never been reported to the Tirana Government as being employed by the Serb-Croat-Slovene legation. Belgrad precipitately broke off diplomatic relations with Tirana.

On June 6 the Albanian Government addressed a note to the Secretary-General, in which it related its view of the incident and, without making any specific request, added: "In informing you of the foregoing the Albanian Government is firmly convinced that it is discharging its task of conciliation and moderation." On June 12 a Serb-Croat-Slovene note gave its account of the facts, concluding as follows:

In communicating this account of the facts to the Secretary-General the Royal Government requests him to be so good as to bring it to the notice of the Members of the Council of the League. It considers that Art. 12 of the Covenant does not apply to this case, and for this reason does not request the Council to examine it, as this case taken by itself does not warrant the application of Art. 12 of the Covenant. Nevertheless, if the Council considers that this incident, taken in conjunction with, and viewed in relation to, other circumstances, might be serious, the Royal Government holds itself at the disposal of the Council for the consideration and study of the problem as a whole, including this particular incident.

Both Governments requested that their notes be brought to the attention of the Members of the Council.

The assumed political alignment with respect to Adriatic affairs played a great part in the ensuing discussion. Various diplomatic *impasses* had recently taken place between Italy and the Serb-Croat-Slovene State. Italy was in alliance with Albania. The Serb-Croat-Slovene State was a member of the Little Entente, to which France was particularly friendly, while a *rapprochement* was

actively under way between France and the Serb-Croat-Slovene State. Franco-Italian relations had been affected in the popular mind by some administrative incidents and a more or less prolonged press campaign of "pin pricks." A discussion of the Albano-Serbian incident was conducted with these circumstances much to the fore.

Late in June, the Governments of France, Germany, Great Britain and Italy concerted in an identic note to both parties, which read: <sup>1</sup>

The Government of ——— greatly regrets the difficulties which have arisen between Albania and the Serb-Croat-Slovene State as a result of an incident which does not seem to it to be of sufficient importance to provoke a difference between two neighboring states. It is very desirous to see this incident solved as promptly as possible in a true spirit of conciliation. An honorable solution for both parties might, in its opinion, be found in a simultaneous action by which the Government of His Majesty the King of Serb-Croat-Slovenia should modify the note of the chargé d'affaires of Jugo-Slavia, dated May 30, substituting therefor another which would not contain the expressions considered as offensive by the Government of the Republic of Albania, at the same time as the action of the Albanian Republic would set M. D'Jurashkovich at liberty.

The Government of ——— would be happy to learn that this equitable solution which it declares to have been suggested in full agreement with the Governments of [France, Germany, Great Britain, Italy], is accepted by the Government of the Albanian Republic [Serb-Croat-Slovene State].

This *démarche* settled the difference.

The states making it were, however, criticized by the nationals of both parties and elsewhere for having acted as mediators without making use of the machinery of the League. The debate in France resulted in the resignation on July 24 from the French delegation to the Assembly of Henry de Jouvenel. M. de Jouvenel had been a member of the delegation for several years, but asked the minister of foreign affairs, M. Briand, to count him out in 1927. In resigning he said: <sup>2</sup>

<sup>1</sup> *Le Temps*, June 25, 1927, p. 1.

<sup>2</sup> *Le Temps*, August 11, 1927, p. 1, 6.



In these last years I have represented the French Government in the political committee. My presence there required and would still require my almost absolute agreement with the foreign policy of the Government, and especially with its policy regarding the League of Nations. I have this year in various articles [M. de Jouvenel is editor of *Le Matin*] expressed regret both at not seeing France submit to the League of Nations the international difficulties which, in my opinion, can only be solved by it, and at seeing it on the other hand lend itself to a policy of adjournment which accumulates difficulties for the future. In case any foreign delegate should express in the Assembly views agreeing with mine, I should see myself obliged either to contradict the Government or myself.

### The Cecil Resignation

On the initiative of the United States Government, a Conference for the Limitation of Naval Armament was held at Geneva June 20 to August 4 between the United States, Great Britain and Japan. France and Italy had declined to become parties to the conference, though they sent observers. This conference was variously interpreted as an attempt to forward the general disarmament program of the League and to accomplish results outside of the League machinery on the basis of its preparation of the field. The conference ended without agreement and exhibited an important difference in point of view of the American and British naval delegates. In the course of the conference, an adjournment took place, and the First Lord of the Admiralty, W. C. Bridgeman, and Viscount Cecil of Chelwood went to London in an effort to secure an agreement with the British Cabinet.

When the conference ended without agreement, it came to public notice that Viscount Cecil, the member of the Cabinet who had represented the British Government in practically all the armament discussions at Geneva, was highly dissatisfied with its policy. On August 29 he sent a letter to the Premier in which he resigned from the Cabinet, and as a consequence his representation of the British Government in the League of Nations ceased. In this letter of resignation he said: "I can not conceal from myself that, on the broad policy of disarmament, the

majority of the Cabinet and I are not really agreed." Being "convinced that no considerable limitation of armaments can be obtained except by international agreement," he was of the opinion that "the chief energies of the Government ought to be concentrated on the attainment of such an agreement. I do not say that it should be bought at any price, but I do say that it is of greater value than any other political object." Referring to his instructions with respect to the Preparatory Commission, he said that he was over and over again compelled to maintain policies which were difficult to reconcile with any serious desire for the success of its labors. Considering that he could be of no further service to this cause in the Cabinet, he stated that, "outside there is much to be done. The hope of the future is in an aroused and instructed public opinion."

### Private Council Conversations

The feature of the Assembly debate on the work of the Council was a series of speeches called forth by the delegate of Norway. The increasing extent during the previous year to which the presence of foreign ministers at Geneva as representatives on the Council had afforded them opportunity to discuss their bilateral relations in private interviews had drawn public attention to the meetings of the Council for that reason as much as on account of the Council's agenda. Moreover, the tendency of states to refer to the Council questions involving important interests had encouraged private meetings between the parties concerned for the canvassing of the political situations involved. These conferences of the members of the various delegations were held outside of regular Council sessions.

This tendency had been noted by the smaller Member states. In general, they felt that the large states represented on the Council must make their decisions there conform with the principles of the Covenant, and they raised the question whether private conversations might

not color the attitude of states sitting in the Council and perhaps result in decisions reflecting the special interests of the states represented rather than the common interests provided for in the Covenant. It was with these considerations in mind that M. Hambro of the Norwegian delegation addressed the Assembly on September 8. He said in part:

There is another point of still greater importance. . . . It is a question which is a cause of keen anxiety to every small state. An impression has been abroad during these last two years that there is within the Council a supreme Council, which meets at the same time as the Council but in private, to discuss the problems with which the Council itself is to deal later. It has even been said that regular agendas have been prepared for such meetings, and that in this way questions have been decided before they were submitted for consideration to the Council as a whole.

As mentioned by the Swedish delegation, no one would dream of reproaching statesmen with deliberating in private on problems directly interesting their own country, even if those matters concerned the League of Nations. But if this tendency should become accentuated, the League of Nations and its executive organ, the Council, would be exposed to the danger of losing control of affairs and would see themselves deprived of the possibility of accomplishing their high mission as safeguards of peace.

Nothing has more strongly emphasized the importance of the League and its Council than the fact that three great powers have sent their ministers for foreign affairs to the meetings of the Council and those of the Assembly. It is not unessential to remember, however, that they come to Geneva not only, or even mainly, because they are foreign ministers but also because they are members of the Council and under an obligation to the League.

One of the soundest principles of the Covenant is that an interested state is present as a Member of the Council when its affairs are being discussed, and every nonpermanent Member has been justified in watching with jealousy the half private deliberations at Geneva.

It has been one of the main objects of these annual meetings to create a world opinion. That opinion has been created. Let us be careful not to provoke it against ourselves. I do not think that the distinguished members of the Council have quite realized the impression that has been created by this procedure of secrecy, and perhaps I may be allowed to mention one small fact that may have some importance in this connection — a fact that has been commented upon freely in my country when our Parliament has discussed the work of the League. I refer to the strength of the diplomatic element at Geneva. Out of

120 delegates in 1924, 48 were active diplomats: in 1925, 50; in 1926, 54, out of 124; and the element represented by active politicians and statesmen has not been so strong as in the first Assemblies.

Indispensable as it is to have a strong diplomatic element, there still may be a feeling that the traditions of the diplomatic career are not in favor of publicity and openness, and even in the Council the diplomatic element is very strong. Of course, it is difficult for oversea nations to send their leading statesmen to Geneva four times a year, but I think that Brazil set a fine example when the Government at Rio appointed a distinguished gentleman as a special representative to Geneva. Other nations have sent active diplomats to the Council. Without in any way detracting from their merits, we can not but feel that it would perhaps give greater political weight to the deliberations of the Council if its members were not too closely tied to the diplomatic centers of the great powers.

When venturing upon these critical remarks, I have had before me an example of what can be accomplished by the Council working in full publicity. One of the most difficult questions settled by the Council this year was the Saar problem. It was successfully debated in public, and, thanks to the wisdom and the moderation of M. Briand and Dr. Stresemann and every other member of the Council, a result was achieved which was not only to the credit of the Council but which inaugurated a new tradition in world politics. I think we were all proud of our Council on the Saar Day. It has provided a standard. It is for the Council to live up to it. . . .

In a notable article in *Le Journal de Genève* the other day, it was said that the debate on the annual report was tending to become more and more only an exchange of complimentary banalities. I trust that the debate this year will not fall under that epitaph. But there is one thing that tends to diminish the general interest in this debate. We put questions that are not answered. We discuss the work of the Council, but the Council itself keeps silent. We cry into a gray void, but the leading Members stand aloof, observing an attitude which is rather disappointing for those who come here eager, sympathetic, with the greatest belief in the foresight, broad-mindedness, and wisdom of the first statesmen of the age. With great respect we request them to answer our questions, to enlighten our obscurity, to speak those words of hope or of warning which we are all longing to hear.

In the opinion of my country it is important to strengthen the influence of the Assembly as the supreme organ of the League, and it would certainly emphasize the importance of the Assembly if problems were openly discussed and not only brought forward.

**Argument For Direct Parleys.** Nicolas Politis (Greece) immediately presented a different view. In the course of an eloquent speech, he said:



I can not really credit the charge that the League has declined to deal with serious international questions of outstanding importance to world peace, or that certain states have tried to remove from the competence of the Council political problems of prime importance with which it undoubtedly ought to deal.

This charge might be justified if states interested in a dispute had been hindered or thwarted in their desire to have the matter dealt with by the Council in full accordance with the terms of the Covenant. It might be justified if the powers which have the greatest influence over the League's destiny had preferred to settle their private differences by direct negotiations among themselves when the cause of peace would have been better served had the matter been brought before the Council.

I do not know of any instance of either kind, and I therefore consider the charge unfounded. . . .

It seems to me none the less true, however, that the charges made are always based on mistaken conceptions of the part the League has to play and its present possibilities of action. It seems to me that they are falling into the error commonly made by keen lawyers when they regret that law is sometimes sacrificed by individual agreements when it might triumph if the case were settled in court. They forget the wisdom of that well-known maxim, true of all countries and all times, that a settlement out of court is far better than the soundest verdict.

That is true in private matters, and still more true in international relations. The cause of peace has nothing to gain by making every international dispute and difficulty the subject of a public debate, conducted with all the ceremony of the League's procedure. If the countries concerned can come to an understanding between themselves by way of reciprocal concessions, I am sure it would be folly to complain. I think we should rather be glad of it and congratulate ourselves that recourse to the Council, even when desired by one of the parties concerned, is not always in the interest of peace. . . .

Recourse to the Council should be regarded as the extreme remedy, to be applied in cases where ordinary diplomatic action has failed. Indeed, even when ordinary diplomatic action is not immediately successful it is not always wise or in the best interests of peace to hurry the dispute before the Council. This should be done only when it is quite certain that the Council can really find a satisfactory solution. If there is any doubt at all in the matter it would be far better for the cause of peace that the question should be left temporarily in abeyance in the hope that time would bring the parties to a more conciliatory frame of mind.

Such, I submit, is the part the League should play, and such are the reasons why, in my opinion, those who complain that the League does not intervene on all occasions are taking too pessimistic a view, especially when they blame countries having heavy responsibilities for en-

deavoring at the outset to settle their disputes by mutual agreement before applying to the Council.

. . . I think, however, that there is yet another reason which requires to be pointed out, and that is that the nature and extent of the League's powers are much overstated.

There is a tendency to forget that the League is not a super-state or a power capable of imposing its will on others; it is simply a free association for cooperative action among individual nations for the development and organization of international life, of which the Covenant laid the foundation.

For the most part the League has no power, no light of its own; its light is mainly a reflection of that of its individual Members. Sometimes this light shines full upon the League, but at other times there falls upon it the shadow of chance obstacles which arise between it and the source of light.

In a word, the League, like every other human society or institution, is and can only be what its Members make it. They provide the driving force and guide the League on its way.

Those who are impatient because the League falls short of their ideals should blame not the League itself but the nations which are not yet sufficiently advanced to demand from it greater activity and power; when they are, these will not be refused them.

Let us not forget that the League's activities are conditioned by the international environment wherein it is placed. It is the environment in which the League acts that determines how it shall go along the path to peace.

**The French View.** On September 10 Aristide Briand, French foreign minister, one of those who was criticized, made a notable address and dealt with the outside conversations in several trenchant passages:

The impression prevailed at one point that there were so-called great powers here, powers whose representatives might conceive the idea — as the result of continual mysterious contacts — of drawing up schemes and forcing them on the Assembly. I admit I have established such contacts; I have established them in what is called an atmosphere of mystery — though I do not know exactly what that means. They were established in a council chamber which was necessarily smaller than this, because there were fewer of us. But I can assure you that not once did the thought occur to us to dissociate ourselves from the policy of universality adopted by the League to which we all belonged. Our efforts, on the contrary, were consistently devoted to eliminating the difficulties which beset its path. It is only fair, moreover, to say that we have been asked to do this. . . .

We succeeded; we returned to the Assembly which had invited us to undertake this task, and we said: Here are our papers, here are our agreements, here are the precautions we have taken against war. We deposit them with you, and henceforth the duty of trusteeship devolves upon you. It is for you to back our signatures and see that we loyally fulfil the undertakings [of Locarno] to which we have subscribed.

I ask how this action can possibly harm an association such as ours. I think, on the contrary, that the League has every reason to rejoice. How can it blame us? Once before, you will remember, we found ourselves in a difficult position. We had to decide how Germany was to enter the League and be given the place which was her due. . . .

We appointed a fresh meeting with you. In the meantime, our Foreign Offices — oh, those Foreign Offices! — got to work. They exchanged telegrams. They tried to overcome the difficulties which had checked our course. They could not agree all at once. It took days, it took weeks and months; but one day we came back to you and — the thing was settled. . . .

Do you think that we who represent — we almost owe you an apology for it — what are called the great powers — do you think that if we had not felt around us the affection and the anxiety of what are called the smaller powers, the “medium” powers — I must confess that I have not yet found an instrument to measure their dimensions when international work has to be done — if we had not felt around us that atmosphere of universal brotherhood; if we had not felt that we were working not only for ourselves but for all the peoples of the earth, do you think we should have found courage to persist in our endeavor? The secret of our success lay perhaps in that inward conviction.

There are here, I agree, quite a number of diplomats. There really are a lot of them! I am told that there are a score of foreign ministers. Such persons obviously can not remain unacquainted with one another: they naturally gravitate toward each other. They think that a talk together may perhaps do more to settle a difficulty than the exchange of a whole sheaf of telegrams. And so they talk and settle their affairs in the united interests of the whole world.

Does it really do the League any harm, the mere fact that its deliberations take this form, or that it is used as a meeting-ground for busy statesmen who can not always live beside a lake, far from the worries of home politics which go on at home despite their absence and perhaps even thrive the more for it? Is not the fact that they come here to share in our debates for days and weeks, is not this a tribute to the greatness of our institution?

**The British View.** Finally, Sir Austen Chamberlain, the British foreign secretary, whose meetings with his colleagues had been perhaps the chief cause of the com-



plaints, made a general speech respecting his Government's policy in which he included these remarks:

[The first delegate of Norway] found fault with the Council; he did not spare the Assembly, whose underhand ways he held up to condemnation. He even thought it necessary to criticize the composition of other delegations, and to regret the presence of so many diplomats in this Assembly.

I can not, I fear, express my agreement with this criticism. The League owes too much to the diplomats who have sat and who still sit among us for me to wish their number less than it is, and if I mention to you (not the names of any here present, for that would be invidious) the names of two of our recent colleagues who, alas! have now left us, and for different reasons — if I mention Viscount Ishii and M. Quiñones de León, those two names speak for all that the diplomatic members of the Council and the Assembly have been able to contribute to our work. May I add that, if they bring into our discussions something of the suavity, something of the consideration of the point of view of others, which they practise in diplomacy, I think that our debates will lose nothing either in their force or virility.

A more serious criticism was offered by the first delegate of Norway. . . . I refer to the suggestion that, in the meetings of some of the representatives of great powers, there is some attempt to withdraw from the Council or the Assembly the decisions which properly belong to them and to them alone, and to substitute a kind of inner cabal for the Council of the League itself.

Why, may I ask in passing, are the representatives of the great powers and they alone to meet with this criticism? Are no other meetings held at Geneva except those in which Dr. Stresemann, M. Briand, M. Scialoja, M. Vandervelde and I take part? I have heard the rumors of the lobbies. I have read in the *Journal [de Genève]* that all other Members of the League may meet as they please and when they please, and it is thought natural and proper that they should do so. Why, then, to us alone is it to be refused to meet in friendly converse and to try to improve our mutual relations?

If you think that in those conferences we have been occupied in the main in discussing the work of the Council, you are mistaken. We have many affairs of our own with which we hope that we may never have to trouble the Council, because we can settle them among ourselves, and if on any rare occasion, among the subjects which we have had to discuss, has been one which concerned the agenda of the Council, I venture to say that the work which we have done, the conversations which we have held, instead of impeding, have facilitated the work which it still remains for the Council to do. I would remind you that, whatever we may decide among ourselves, nothing that we can do could, nothing that we can do should, limit in any way the free-



dom of every other Member of the Council to bring what subject he likes before that body, to press whatever solution he likes upon that body. Nothing that we may say or do, unless it commends itself to the whole body of the Council, can have any effect, except among ourselves.

I say so much upon this subject because, in the first place, I desire for myself and for the country which I represent, the good will and the confidence of this great gathering; and, in the second place, because anything which tends to sow distrust or dissent between the Council and the Assembly must be destructive of the influence of both and injurious to the vigor and usefulness of the League.

### Panama Canal Zone Régime

On July 28, 1926, the Governments of the United States and Panama signed a convention for the settlement of certain points of difference arising out of the exercise by the United States of sovereign rights in the Canal Zone by virtue of the treaty of November 18, 1903. By Art. II of the latter treaty "the Republic of Panama grants to the United States in perpetuity the use, occupation and control of the zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said canal of the width of ten miles." In view of the fact that the use of the Canal Zone is granted in perpetuity, the United States has tended to assume that its rights are those of a territorial sovereign. Panama, on the other hand, tends to assume that the American rights in the Canal Zone are to be interpreted as those of a lease.

Art. XI of the convention signed in 1926 provided as follows:

The Republic of Panama agrees to cooperate in all possible ways with the United States in the protection and defense of the Panama Canal. Consequently the Republic of Panama will consider herself in a state of war in case of any war in which the United States should be a belligerent; and in order to render more effective the defense of the Canal, it will, if necessary in the opinion of the United States Government, turn over to the United States in all the territory of the Republic of Panama, during the period of actual or threatened hostilities, the control and operation of wireless and radio communication, aircraft, aviation centers, and aerial navigation.

The Congress of Panama did not approve the ratification of the convention owing to the implications of this provision. The incident was easily the most important event in the international life of Panama during the year. Therefore, Dr. Eusebio A. Morales, the first delegate of Panama to the Eighth Assembly, under instructions from his Government, addressed that body at its 11th Plenary Session, speaking in part as follows:

I consider that it would be well to introduce and maintain the practice of inviting the Members of the League to come here from time to time and explain, possibly without any definite intention of their discussion or settlement, circumstances and conditions which in any way influence their international life, so that all the Members of the League may thus obtain first-hand authoritative information upon all matters affecting the safety and the political life of each of the associated nations.

Panama desires to inaugurate this practice as a proof of her profound respect for the League, and as the best means of explaining certain facts which have been misrepresented in the press of various countries, in regard to the relations and links existing between Panama and the United States. That great country has vital interests in Panama. Under a treaty concluded by the two countries in 1903, the United States have undertaken at their own expense the most remarkable piece of engineering of modern times, the canal which provides a through passage from the Atlantic to the Pacific Ocean in seven hours. . . .

The complexity of the numerous matters dealt with in the treaty of 1903 has led to conflicting interpretations by the two countries since its ratification. The cause of the most essential and profound disagreement, that relating to trade in the Canal Zone, was settled by diplomatic means in 1904, when it was established in substance that the United States Government had the right to import into the Canal Zone, free of duty, all machinery and materials required for the construction, maintenance, operation, sanitation and protection of the Canal, and all necessary articles for the employees and workmen and their families. Other residents in the Canal Zone may not import goods without paying duty to the Republic of Panama.

After this agreement had been in force for 20 years, the United States Congress authorized the President to abrogate it, and, although Panama pointed out that it could not be abrogated without its consent, as no definite or contingent date had been fixed for the termination of the convention between the two countries, it was nevertheless abrogated, the United States Government declaring that its object was to conclude a new convention on a more permanent basis than the old one.

This new convention was negotiated in Washington by joint commissions appointed by the two Governments, and, after discussions lasting more than two years, a treaty was finally concluded on July 28, 1926.

During the discussion of this convention, Panama enjoyed full liberty of action, and, despite the fact that the negotiations took place between one of the most powerful and one of the weakest countries in the world, there was not the slightest tendency to impose onerous or humiliating conditions upon Panama. On the contrary, these negotiations were marked throughout by a spirit of mutual consideration and respect, a fact which, in itself, is deserving of mention.

The treaty naturally contains a number of concessions made by each of the parties in return for certain advantages obtained from or certain sacrifices made by the other, and for this very reason it can be regarded impartially by those who study it as a whole, whereas it is looked upon with disfavor by persons who see only the disadvantages or sacrifices, and are anxious to magnify and condemn them.

There is, however, a serious question in regard to which no compromise is possible between the two Governments, because it can not be settled unless one of the parties changes its view wholly and completely and adopts the other's view.

The United States maintain that Panama has transferred to them its right of sovereignty over the Canal Zone, while Panama maintains that it has only granted them such rights and authority as they would possess if they were, in fact, the sovereign power, for the specific purpose of constructing, maintaining, operating, sanitating and protecting the Canal.

Panama takes the view that sovereignty does not consist of one right only but of many rights, and that accordingly it was within its power to grant the United States the right to administer justice, to maintain order, to sanitize and protect the Canal Zone, but neither in intention nor in fact did it grant them the whole of its sovereign rights. Sovereignty is too essential and important a thing to be transferred by implication. Although it may be argued that the sovereign rights retained by Panama over the Canal Zone are but a shadow, they are yet substantial enough to prevent the United States from having a legitimate claim or title to transfer the Canal Zone or the Canal itself to any other country, and this is sufficient to justify Panama in its view.

This essential divergency in the interpretation of the treaty of 1903 has not been settled in the treaty of 1926, but, as the latter has not yet been ratified by the Legislature of Panama and the Panama Government hopes by further negotiations to effect a change and to obtain decisions favorable to Panama, it would not be surprising if the United States Government, whose friendship for Panama has always been sincere and cordial, should finally accept the latter's interpretation, which in no wise prejudices the vast interests which form a perpetual bond between that country and ours. If this is not the case, however,



the two nations would still have the resource of submitting this and any other dispute to an impartial Court of Justice for its decision, trusting that a correct and equitable interpretation would be given for all time.

The United States has always been a just country, a lover of peace and an enthusiastic supporter of international arbitration. It is unthinkable, therefore, that in a dispute with a small, weak country it should refuse to submit to impartial judges a matter arising out of the interpretation of a treaty, and still more unthinkable that it should attempt to impose its own interpretation by some extrajudicial means.

I have given you the above details in order to explain the origin of the treaty signed at Washington last year, and in reply to the criticism that this treaty violates the Covenant of the League of Nations.

By Art. 11 of the treaty, Panama agrees to cooperate, by all possible means, with the United States in protecting and defending the Panama Canal, for which purpose it agrees to regard itself as at war in any conflict in which the United States are involved as belligerents.

As Panama sees it, this clause can have no other meaning than that, under its terms, it offers its assistance for the defense of a part of its own territory in which another country possesses vital interests. Panama maintains that it has not renounced or transferred to the United States the whole of its sovereign rights over the Canal Zone, and that, consequently, if the Panama Canal were attacked by any other country, it is the right and duty of Panama to defend it. This is a purely defensive provision to meet the eventuality of an attack on the Panama Canal involving the United States as a belligerent — an eventuality which we hope will never occur. It does not refer to a conflict involving Panama as one of the principal parties, in which case the Covenant of the League provides, in Arts. 12 and 13, as amended in 1921, the procedure to be followed for the settlement of the dispute before a final resort to war. On the contrary, it relates to the defense by Panama of its territory in the event of a war arising out of a dispute in which it is not directly involved.

Panama maintains, therefore, that, even if the treaty in regard to which negotiations are still proceeding at Washington should be finally approved and ratified, with the inclusion of the clause relating to her cooperation in the defense of the Canal, that treaty would not constitute any violation of the engagements she has contracted under the Covenant. In that event, however, the matter will be considered when the treaty is registered with the Secretariat of the League.

The United States have been accused of forcing Panama to accept this clause, but my Government solemnly declares this allegation to be false. The essential part of the clause was proposed by the Panama Government as a proof of solidarity with the United States in regard to the defense of the Canal and of its own territory, and was accepted by them in a magnanimous spirit and with a clear comprehension of the intention underlying Panama's proposal.



Such is the explanation which my Government desires to give to the Assembly of the League of Nations, in order to define its attitude to the League and to serve as an authoritative statement regarding the development of its special relations with the United States.

### British Parliamentary Vote

Almost the first and easily the most interesting Parliamentary debate upon a state's attitude assumed at Geneva and the policy of a government toward the League took place in the British House of Commons on November 24, 1927. The resignation of Viscount Cecil of Chelwood from the cabinet had a few days previously been the subject of a debate begun by his own statement in the House of Lords. On November 24, former Premier Ramsay MacDonald, "leader of his Majesty's opposition," moved:

That this House deplores the lack of preparation by the Government and the military character of the British delegation which seriously contributed to the failure of the recent Naval Conference at Geneva, the slow progress made by the League of Nations Preparatory Commission for the Disarmament Conference, and the refusal of the Government to accept the principle of arbitration and promote a scheme of international security guaranteed by the League of Nations.

A very extensive and vigorous debate ensued, punctuated for a few minutes by the total extinguishment of the electric lights, and calling forth an amendment to the motion of an opposite tenor made by Mr. Duff Cooper on behalf of the Government. On division, the MacDonald motion was defeated, 105 for, 316 against, a Government majority of 211. The Duff Cooper motion was then approved by a majority of 222, as follows:

That this House, recognizing that the efforts of his Majesty's Government have been constantly directed to the maintenance of peace, the reduction of armaments and the advancement of the authority of the League of Nations, and remaining opposed to the assumption by this country of the extended and dangerous obligations embedded in the Protocol of 1924, approves the policy pursued by his Majesty's Government.

### III. ECONOMICS AND FINANCE

#### 1. The International Economic Conference

The International Economic Conference summoned by the Council sat at Geneva from May 4 to 23, 1927, with Georges Theunis, former prime minister of Belgium, in the chair. The conference was attended by 190 delegates and 157 experts from 50 countries: Abyssinia, South Africa, Albania, Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Danzig, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Persia, Poland, Portugal, Rumania, Salvador, Serb-Croat-Slovene State, Siam, Sweden, Switzerland, Turkey, Union of the Socialist Soviet Republics, United States, Uruguay and Venezuela. It was also attended by observers from Mexico; by representatives of the Chambers of Commerce and other international organizations appointed by the Council, and by experts invited by the president of the conference.

**American Delegation.** The United States Secretary of State appointed the following delegation:

Henry M. ROBINSON, president of the First National Bank, Los Angeles, and member of the Dawes Committee;	Julius KLEIN, director, Bureau of Foreign and Domestic Commerce, U. S. Department of Commerce;
Norman H. DAVIS, formerly Assistant Secretary of Treasury and Under Secretary of State;	<i>Experts</i>
John W. O'LEARY, president of the United States Chamber of Commerce;	Dr. Arthur N. YOUNG, economic adviser to the Department of State;
Alonzo E. TAYLOR, director of Food Research Institute, Stanford University;	Dr. E. Dana DURAND, chief of the Research Division, Department of Commerce;

Grosvenor M. JONES, chief of the Finance and Investment Division, Department of Commerce;

Dr. Louis DOMERATZKY, chief of the Regional Division, Department of Commerce;

E. W. CAMP, acting Commissioner of Customs, Treasury Department;

Asher C. HOBSON, permanent American delegate to the International Institute of Agriculture at Rome;

Dr. Percy W. BIDWELL, an economist of the United States Tariff Commission;

Henry CHALMERS, chief of the Division of Foreign Tariffs, Department of Commerce;

John P. FREY, American Federation of Labor;

*Secretary:*

Somerville Pinkney TUCK, consul of the United States at Geneva.

Roland W. Boyden was one of the delegates of the International Chamber of Commerce and Basil Miles, American administrative commissioner to the International Chamber of Commerce, was one of the experts of its delegation.

**Organization of Conference.** The delegates, selected by their Governments on the basis of technical and personal qualifications, were not spokesmen of any official policy, and their personal responsibility alone was engaged. They included industrialists, merchants, bankers, economists, agriculturists, officials with experience of commercial policy, representatives of workers' and consumers' organizations and cooperative societies and three women specialists in economic matters, appointed by the Council after consulting the appropriate international women's organizations.

Over a year had been spent in preparing for the conference by a committee including 35 experts from 21 countries and appointed on the same basis as the members of the conference. This Preparatory Committee collected and published in 60 memoranda an enormous amount of material, compiled with the aid of official and private organizations throughout the world and covering an extremely wide range of subjects.<sup>1</sup>

<sup>1</sup> The documentation is on sale by World Peace Foundation (catalog furnished); see also this Series, Vol. X, No. 4, for work of Preparatory Committee.

The main object of the conference as recommended by the Assembly was to bring about a general exchange of views on existing economic difficulties and the means of overcoming them — to evoke collective opinion on the conditions, principles and guaranties which might serve as a starting point for the improvements and progress necessary to restore greater freedom to international commerce. As the Preparatory Committee had pointed out in its report, the conference was to be regarded as a stage in the continuous work of collaboration in the economic sphere which had begun before the project of a general conference was launched, and would continue when the conference itself was over.

The general discussion of the economic tendencies capable of affecting the peace of the world and a general survey of the principal features and problems of the international economic position lasted from May 4 to 7 and included statements by 36 Government representatives and eight representatives of international organizations. The second part of the program contemplated discussion under three main heads — commerce, industry and agriculture. To this end, the conference divided its work among three commissions, presided over by H. Colijn (Netherlands), F. Hodáč (Czechoslovakia) and Otto Frangesch (Serb-Croat-Slovene State).

Henry M. Robinson of the United States delegation was one of the vice-presidents. Roland W. Boyden, representing the International Chamber of Commerce, was vice chairman of the Commerce Commission, and Norman H. Davis its rapporteur.

The commissions began work on May 9 and after a general discussion on the problems referred to them, broke up into subcommissions. The first commission (commerce) divided its work among three subcommissions dealing respectively with liberty of trading, customs tariffs and commercial treaties, and indirect methods of protecting national commerce and shipping. The third commission (agriculture) instituted subcommissions on



general questions, cooperation and agricultural credits. The second commission (industry) continued in plenary session. After a fortnight's discussion, the commissions submitted reports which were revised by a Coordination Committee presided over by M. Theunis and submitted to the conference with an introduction on the economic position and general resolutions which were unanimously adopted. The Soviet delegation made reservations with regard to several points and adhered only to certain resolutions. The Turkish delegation abstained from voting.

### ACCEPTANCE OF THE RESULTS

The Final Report of the Conference is textually available in separate form <sup>1</sup> and should be read as a whole in order to comprehend the new orientation which the gathering has given to the world's economy. Though its conclusions were those of experience rather than of governmental authority, their clearness, logic and practical value gave them a high standing without delay. The Assembly in a resolution on September 20

Believes . . . that there is every reason to hope for universal approval when the public opinion of all countries has been sufficiently instructed;

Recommends the resolutions of the conference . . . to the favorable consideration of all Governments, and trusts that those Governments which have not yet declared their support will shortly be able to do so;

Trusts that the economic policies of all countries may develop in accordance with the principles laid down by the conference and desires that the Economic Organization of the League should take these recommendations as the basis of its work.

The Council on June 16 had taken similar action and had begun to prepare for the execution of the recommendations and resolutions of the conference. The discussion by representatives on the Council was very commendatory.<sup>2</sup>

<sup>1</sup> Document C. E. I. 44 (1).

<sup>2</sup> *Official Journal*, VIII, p. 782.

The Assembly, following the lead of the Council, invited "the Economic Organization of the League of Nations to prepare as soon as possible a summary of the replies of the various Governments as to their attitude to the recommendations of the International Economic Conference, and to make known the action that the various Governments have taken or may take in pursuance of the recommendations of the Economic Conference."

Pronouncements accepting in whole or in part, or approving generally, the Final Report, and its important recommendations, which were commended "to the favorable consideration of all Governments" by the Council on June 16,<sup>1</sup> have been made on behalf of the Governments of:<sup>2</sup>

AUSTRALIA	INDIA
AUSTRIA	ITALY
BELGIUM	JAPAN
BRITISH EMPIRE	NETHERLANDS
BULGARIA	NORWAY
CANADA	PERSIA
CHILE	POLAND
CUBA	PORTUGAL
CZECHOSLOVAKIA	RUMANIA
DENMARK	SERB-CROAT-SLOVENE STATE
ESTONIA	SWEDEN
FINLAND	SWITZERLAND
FRANCE	UNION OF SOCIALIST SOVIET
GERMANY	REPUBLICS
HUNGARY	URUGUAY

### CONCLUSIONS OF CONFERENCE

The Final Report of the conference in an introductory analysis shows that, whereas in 1925 the world's population was about 5% greater than in 1913, production of food-stuffs<sup>3</sup> and of raw materials was from 16 to 18% greater. In other words, production and consumption, both in total and per head of the world's population, are greater than before the war.

<sup>1</sup> *Official Journal*, VIII, p. 790, 974, 1579.

<sup>2</sup> *Official Declarations concerning the Recommendations of the International Economic Conference*, C. E. I. 45 (1). 1928. II. 4.

<sup>3</sup> Excluding China.

This increased production of food and raw materials<sup>1</sup> has, however, not been accompanied by a corresponding increase of international commerce, for the volume of trade in 1925 was only 5% higher than before the war.

But these statistics do not represent the position of each continent. The production of Europe, whose population has increased by 1%, was in 1925 about 5% greater than in 1913, an increase materially slower than in prewar years, while its international trade was only 89% of the prewar volume. It would be a mistake to assume that the economic condition of Europe could be so seriously disorganized without affecting that of the rest of the world.

Depression is concentrated in certain main trades, some of which were artificially expanded to meet war needs. Disorganization of public finance, unstable currency and shortage of capital have created serious difficulties. The resumption of normal international commerce is progressing. A heavy annual charge for war debts and the international economic significance of external obligations are postwar heritages. The change in the world situation due to the increase of manufacturing facilities in countries formerly only producing raw materials is deemed significant, while economic nationalism in Europe has still further added to the general problem.

**General.** The conference voted the following general resolutions:

(a) *Economic Tendencies affecting the Peace of the World*<sup>2</sup>

The conference:

Recognizing that the maintenance of world peace depends largely upon the principles on which the economic policies of nations are framed and executed:

Recommends that the Governments and peoples of the countries here represented should together give continuous attention to this

<sup>1</sup> The production of finished commodities must have increased faster than these figures, since technical progress largely consists of the more complete and more economical use of raw material.

<sup>2</sup> The Soviet delegation voted for the resolution. At the 11th Plenary Meeting the following declaration was made:

"The Soviet delegation could not approve the proposals mentioning the various organizations of the League of Nations to be called upon to execute certain of the

aspect of the economic problem, and looks forward to the establishment of recognized principles designed to eliminate those economic difficulties which cause friction and misunderstanding in a world which has everything to gain from peaceful and harmonious progress.

(b) *Education and Publicity*<sup>1</sup>

The conference recognizes that the reception and successful application of the principles stated in the resolutions of the conference depend, not only upon the good will of Governments and administrations, but upon an informed and supporting public opinion throughout the world, and for this purpose would welcome, in the economic as in other fields, the development of closer international cooperation by scientific and educational institutions, as well as the help of the press and other agencies of importance, for the information and enlightenment of the public.

(c) *Armament Expenditure*<sup>1</sup>

Whereas the world as a whole devotes considerable sums to armaments and to preparations for war, which reduce the savings available for the development of industry, commerce and agriculture, are a heavy burden upon the finances of the different states, entailing heavy taxation which reacts upon their whole economic life and lowers their standard of living,

The conference:

Expresses the earnest hope that all efforts to effect, by agreements between states, limitation and reduction of armaments, and particularly those under the auspices of the League of Nations, will have successful results and thus alleviate the burdens described above.

(d) *Pacific Commercial Cooperation of All Nations: Application of Resolutions to the U. S. S. R.*<sup>1</sup>

The conference:

Recognizing the importance of a renewal of world trade;

Refraining absolutely from infringing upon political questions;

Regards the participation of members of all the countries present, irrespective of differences in their economic systems, as a happy augury for a pacific commercial cooperation of all nations.

measures suggested. The reason for this was that the U. S. S. R. was not a Member of the League of Nations and had no intention of becoming one. In the view of the Soviet delegation, the League of Nations was not an instrument of peace. The League of Nations, in its present form, was an instrument serving the interests of the dominating empires of the world, and often acting as a shield whereby it covered the acts of violence committed by them against feebler states.

"The U. S. S. R. reserved the right, therefore, to find other means of coordinating with other states the measures to be taken to put into effect the resolutions of the conference which they could accept."

<sup>1</sup> See note 2 on page 41 [ 201 ].



It is, of course, understood that, the members of the U. S. S. R. having declared that they are in favor of the resolutions in the annexed list,<sup>1</sup> the remaining resolutions of the conference will not be regarded as having effect as regards the U. S. S. R.

## PROCEEDINGS

The general survey, the report of the Conference, including the resolutions on liberty of trading, customs tariffs, commercial policy and treaties, protection of trade, the industrial situation and agriculture, as well as the verbatim record of the proceedings, have been published under the title of "Report and Proceedings of the World Economic Conference, held at Geneva, May 4th to 23rd, 1927." (C. 356. M. 129. 1927. II. 52.)

### 2. Conference on Import and Export Prohibitions and Restrictions

The study of this question was begun by the Economic Committee as a result of a resolution passed by the Fifth Assembly on September 25, 1924, and culminated in a diplomatic conference held at Geneva, October 17–November 8, 1927. A preliminary inquiry brought together material from 28 Governments as a basis for a preliminary draft agreement, on which 36 Governments and three international organizations made observations and criticisms. The draft agreement was laid before the International Economic Conference,<sup>2</sup> which made recommendations as to the application of the principles involved and stated that the draft convention "should be utilized to lead to a prompt general agreement permitting the greatest possible number of nations by their concerted and simultaneous action to bring about favorable conditions for the recovery and development of the production and trade of all countries."

<sup>1</sup> For list transmitted to the Secretariat by the members of the U. S. S. R. delegation, see *The World Economic Conference, Final Report*. League of Nations Document C. E. I. 44 (1), p. 49.

<sup>2</sup> *Abolition of Import and Export Prohibitions and Restrictions* (C. E. I. 22). League of Nations Document (1927. II. 13).

Representatives of 34 states attended the conference: Australia, Austria, Belgium, Great Britain, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Sweden, Switzerland, Turkey, United States.

A delegation from the International Chamber of Commerce attended in an advisory capacity.

The delegation of the United States consisted of:

Hugh R. WILSON, American minister to Switzerland;

*Assistants:*

H. Lawrence GROVES, American commercial attaché at Vienna;  
Charles E. LYON, American commercial attaché at Bern;

H. F. WORLEY, Treasury Department;

Percy W. BIDWELL, a European representative of the Tariff Commission;

S. Pinkney TUCK, American consul at Geneva, secretary to the delegation.

The conference disclosed the extreme complexity of the problem, showed that the system had taken deep root in the commercial policy of European states in particular, and that its abolition would affect numerous private enterprises. It also revealed the interdependence of certain prohibitions and the effect of prohibitions in one state upon the régime in force in other states for similar or other wares. For example, the prohibition of the import of dyestuffs into Great Britain (Dye Stuffs Import Regulations Act, 1920, which will expire in 1930) was the reason alleged by Germany for maintaining the prohibition of the import and export of coal; the latter measure was the reason given by France and other countries to justify the prohibition of the export of scrap iron. Prohibitions concerning raw hides, bones, etc. are maintained in certain countries simply because they exist in others, and because manufacturers utilizing such raw material consider that they are entitled to similar measures of

protection to those enjoyed by their rivals abroad. The conference thus had to deal with concrete problems affecting enormous interests.

The convention is the first multilateral treaty regulating commercial relations between states. "This is a remarkable and, I suggest, a very hopeful new departure in international relations. The attempt to regulate by *general* agreement the commercial relations between states on a matter which affects very serious interests is in itself a substantial advance on anything which has gone before."<sup>1</sup> The work of the conference may be considered as a first step toward the execution of the recommendations of the Economic Conference with regard to the liberty of trading.

**Decisions Reached.** The conference produced four documents: (1) the international convention; (2) protocol to the convention; (3) final act; and (4) an annexed declaration.<sup>2</sup>

The contracting parties by Art. 2 of the convention undertake to abolish all existing import and export prohibitions and restrictions and not to impose new ones within six months after the coming into force of the convention and subject to duly specified exceptions. The procedure instituted is designed systematically to reduce such exceptions as may provisionally be allowed to the general principle of the abolition of prohibitions. The draft provided for a series of exceptions based upon non-economic considerations such as national defense, public order and security, the protection of animals and plants against disease, the protection of national artistic property, the necessity of continuing to apply certain national laws or international conventions, the protection of state monopolies, etc. It also provided a kind of safety-valve, in the form of a clause enabling contracting states to reestablish prohibitions in extraordinary or abnormal circumstances, catastrophes, etc. From the outset there were two currents of opinion, one in favor of limiting as

<sup>1</sup> President Colijn in his closing address.

<sup>2</sup> See texts in *Official Journal*, VIII, p. 1653.

far as possible the number of exceptions with a view to the general abolition of prohibitions; the other maintaining that, if too much were required, certain states would not be able to accede to the convention.

The question was to find a compromise and the conference invented a procedure which seems complicated, but should be effective. In the first place, Arts. 4 and 5 of the convention concerning exceptions in normal and abnormal circumstances and based upon noneconomic grounds leave as few loopholes as possible. Art. 6 enables parties to make reservations in regard to certain temporary exceptions, with the agreement of the other contracting parties; these exceptions concern prohibitions which states consider it impossible to abolish at once, but which they undertake to suppress as soon as the circumstances from which they arise no longer exist; and certain prohibitions which it would be difficult to abolish and which do not affect prejudicially the trade of other countries.

Certain reservations of this kind were made before the conclusion of the convention and were examined by the conference to make sure that none violated the principle thus established. Others may be made before February 1, 1928, when Governments have had sufficient time to study the convention, and will be examined at a meeting of the signatories between June 15 and July 16. At this meeting the situation will be studied in the light of the reservations and the number and geographical position of the states acceding to the convention. The conditions of the entry into force of the convention and the time-limit for the deposit of ratifications will also be determined.

It is provided that in three or five years (according to the reservations) after signing the convention, any signatory may denounce it, should it consider that certain temporary exceptions (Art. 6) have been unduly prolonged. Moreover, any contracting party can denounce the convention five years after its coming into force. Finally, if, as a result of such denunciations, the conditions governing the coming into force of the convention no longer exist, a fresh



conference may be convened to examine whether the convention should, nevertheless, remain in force between states which have ratified it (Art. 18). This procedure is one of the essential factors of the work of the conference. It was adopted in order to enable the greatest possible number of states to accede to the convention and to facilitate the abolition of various prohibitions while leaving time for the measures which certain parties will have to take. Thanks to this machinery, the conference hoped that all prohibitions and restrictions which are not considered justified will gradually disappear, and that in five years prewar conditions will to all intents and purposes have been reestablished, as recommended by the Economic Conference.

There is established by Arts. 8 and 9 a procedure of conciliation and arbitration for the friendly settlement of disputes regarding the interpretation and application of the convention. For disputes concerning provisions other than those dealing with exceptions and reservations, reference is contemplated to a technical League body (to be appointed by the Council) and to arbitral and judicial procedure. Legal disputes will be referred either to the Permanent Court of International Justice or to an arbitral tribunal, should one of the parties so request. Contracting parties may also undertake, subject to reciprocity, to extend to disputes concerning exceptions and reservations the procedure contemplated for disputes of a legal nature. There were exhaustive debates on these clauses, as compulsory arbitration is a new departure in this connection and the conference wished to gain some idea as to its possible consequences.

A second point worthy of note concerns import and export restrictions to protect animals or plants against disease. While recognizing that sanitary or veterinary measures might legitimately be applied, the conference endeavored to prevent such measures from becoming a disguised form of economic protection. For this reason it recommended the Council to undertake investigations,

inquiries and consultations with a view to summoning one or more conferences of experts to study measures of proved efficacy in animal and plant disease and how to adjust them strictly to risks of infection (Final Act, 1).

The following states had signed the convention on January 31, 1928: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Latvia, Luxemburg, Netherlands, Norway, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, Sweden, Switzerland, United States.

The Economic Committee at its 23rd session examined the means of securing the abolition of export prohibitions in regard to skins, hides and bones with a view to preparing for a final decision at a conference to be held on March 14, 1928.

It decided to appoint a small body of experts to work out a reconciliation of the interests of states taking preventive measures against diseases of animals and plants and of those states exporting such products.

### **3. Convention on Execution of Arbitral Awards Pronounced Abroad**

A Committee of Legal Experts met at Geneva from January 27-29 and March 28-April 4 to consider framing a draft international agreement for the execution of arbitral awards made abroad.

This agreement would complete the protocol of 1923 concerning arbitration clauses in commercial contracts.<sup>1</sup> Under the terms of the protocol the contracting parties undertake to recognize the validity of arbitration agreements, but insure only the execution of arbitral awards pronounced in their own territory. In many countries long and costly proceedings are essential to carry out an award given in the territory of another contracting party. The Economic Committee, therefore, considered

<sup>1</sup> *Official Journal*, VIII, p. 582.

taking fresh international action for the purpose of providing for the execution of arbitral awards made abroad.

The first meeting enabled the experts of seven different countries to discuss all aspects of the question. At its second session the committee drew up a draft protocol.

Benjamin H. Conner, president of the American Chamber of Commerce in France, was a member of the committee.

On June 16 the Council<sup>1</sup> took note of the text and decided to place this question on the agenda of the eighth session of the Assembly. Governments were invited to communicate observations before the opening of the Assembly. The British Government having pointed out that the form of a protocol might give rise to difficulties owing to the peculiar constitution of the British Empire, the Assembly decided to give it the form of a convention, enumerating in its preamble the heads of states participating therein and their plenipotentiaries.

The convention was favorably reported by the Second Committee of the Eighth Assembly, after some changes of text, and was opened for signature on September 26 by all states which were contracting parties to the protocol of 1923,<sup>2</sup> by resolution of the Assembly. The convention will remain open for signature during an indefinite period, and it is expected to facilitate ratification of the 1923 protocol.

#### 4. The Economic Organization

The International Economic Conference has resulted in the development of the Economic Committee into the Economic Organization. An "organization" at Geneva is a self-contained unit working under the direction of the Council, which may also receive suggestions respecting its program from resolutions of the Assembly. The nucleus of the organization is a committee, the membership of which is determined in each case as most appropriate for

<sup>1</sup> *Official Journal*, VIII, p. 582.

<sup>2</sup> *Protocol on Arbitration Clauses*, Geneva, September 24, 1923, edition containing signatures deposited until January 1, 1928. League of Nations, 1928. II. 5. See text, League of Nations Document, C. 659. M. 220. 1927. II. (1928. II. 1).

the purpose, both as to the official or nonofficial character of the members, their national and professional diversity and other qualifications. A section of the Secretariat serves the committee. The object is to collect facts, to elaborate conclusions, subject to confirmation by the Council, and to prepare the ground for international conferences upon various subjects within its competence. In the present case a Consultative Committee having a special interest in realizing the recommendations of the International Economic Conference is added.

The creation of the Provisional Economic and Financial Committee was decided upon by the Council on October 25, 1920, and it was appointed the following November 14. On September 10, 1923, the Council prolonged its term of office until further action, dropped the word "provisional" from the title and renamed the body the "Economic and Financial Commission." The commission was divided into the Financial Committee and Economic Committee, each consisting of ten members. In the earlier days they had frequent occasion to meet together, but they became more and more differentiated, and it was the Economic Committee alone which was primarily concerned in preparation for the International Economic Conference. That conference in a resolution expressed the opinion that its success would depend upon the execution of the principles laid down by it, and, with respect to appropriate organization, drew "the Council's attention to the well-balanced composition of the Preparatory Committee, which has yielded excellent results in the preparatory work of the conference."

The Eighth Assembly dealt with the reorganization in more than its accustomed detail in a resolution passed September 24. This called attention to the fact that much important and extensive work would result from the recommendations of the Economic Conference in addition to the economic tasks hitherto taken by the League. It called attention to the essential desirability of the different interests and organizations which had collabo-



rated in the preparation of the conference continuing to give their support and advice. It, therefore, concluded that the Economic Committee should continue as "the organ through which the Council deals with economic affairs" and that it should be constituted "so as to be best suited for its principal work which, in the near future at least, will lie within the sphere of the economic relations between states and their economic policies so far as they have international aspects." The resolution<sup>1</sup> envisaged three bodies:

(a) The Economic Committee;

(b) "Temporary subcommittees of experts for preparatory work and, subject to Council approval and in consultation with the states in question, economic correspondents in countries which have no member on the committee"; and

(c) "A Consultative Committee the object of which is to follow the application of the Economic Conference recommendations."

The Council on September 27 in dealing with (a) and (b) passed the following resolution<sup>2</sup> establishing the new Economic Committee, the members of which were in large part appointed on September 28:<sup>3</sup>

The Economic Committee, whose nature and terms of reference are outlined in the aforementioned resolution of the eighth ordinary session of the Assembly, shall henceforth work on the following lines:

1. It shall consist of 15 members, of different nationalities.

2. The members shall be appointed by the Council in their personal capacity, on the ground of their qualifications in the economic field, and more particularly in the matter of international economic relations. They shall not be representatives of Governments.

3. Members shall hold office for three years, from September to September. At the end of that period the Council shall appoint an entirely new committee, though any vacancies that may occur in the meantime may be filled.

<sup>1</sup> *Official Journal*, VIII, p. 1482.

<sup>2</sup> Same, p. 1439.

<sup>3</sup> Same, p. 1465.

4. At the end of the above-mentioned period, the retiring members, unless succeeded by members of the same nationality, shall become "corresponding members of the Committee."

(a) "Corresponding members" shall be kept informed of all the Economic Committee's work. They shall with that object receive the committee's documents and those of the subcommittees and special committees.

(b) They shall assist the committee in any investigations or inquiries which the latter may undertake, particularly in regard to their respective countries, and they may send the committee such observations and submit to it in writing such opinions or proposals as they may think fit.

(c) As a general rule they shall not take part in the committee's meetings, but the committee may summon them, whenever it thinks fit, to attend its plenary meetings and to take part in the work of the subcommittees or special committees.

(d) The Economic Committee is empowered to ask the Council to appoint other "corresponding members" in addition to members retiring as provided above.

5. The members of the Economic Committee shall elect their own chairman, who shall hold office for at least one year.

6. The Economic Committee is authorized to take any steps it may consider necessary in the course of its investigations and preparatory work, including the consultation of experts and forming of subcommittees or special committees, without on each occasion referring the matter to the Council; the latter, however, reserves the right to take any necessary decisions on the Committee's report as soon as the work has passed the preparatory stage and entered upon the stage of action.

The rules controlling the Consultative Committee were adopted by resolution of the Council taken on December 9.<sup>1</sup>

The Council found it advisable to exceed the number of 35 suggested by the Assembly as the membership of the Consultative Committee, and the initial membership was fixed at 47, including three members nominated by the International Labor Office. The committee is modeled in makeup after the Preparatory Committee and includes persons competent in industry, commerce, agriculture, finance, transport, labor questions, and questions relative to consumption. Three members from the International Chamber of Commerce are provided for. Two places are reserved for nationals of the United States, two for nationals

<sup>1</sup> *Official Journal*, IX, p. 171-172.

of the Soviet Union and one for an Australian.<sup>1</sup> Liaison with the Financial Committee will be established.

At its 23rd session, the Economic Committee appointed five of its members to the Consultative Committee: Messrs. Chapman, Jahn, Schüller, Serruys, Trendelenburg.

### ECONOMIC COMMITTEE

The Economic Committee as constituted by the Council on December 6 follows:

#### *Members:*

J. A. BARBOZA CARNEIRO (Brazilian),	W. STUCKI (Swiss),
J. BRUNET (Belgian),	E. TRENDELENBURG (German),
Sir Sydney CHAPMAN (British),	F. DOLEZAL (Polish),
A. DI NOLA (Italian),	H. A. F. LINDSAY (as Indian),
J. DVORACEK (Czechoslovak),	Lucius Root EASTMAN (American.)
G. JAHN (Norwegian),	
M. MATSUYAMA (Japanese),	<i>Corresponding Members:</i>
E. NECULCEA (Rumanian),	C. A. B. CAMPION (Australian),
R. SCHÜLLER (Austrian),	A. JENSEN (Danish),
D. SERRUYS (French),	G. CURCIN (Serb-Croat-Slovene).
	A national of China.

The Council on December 9 also decided in principle to appoint nationals of Argentina, Chile and Venezuela as members of the committee.

The Economic Committee held meetings during 1927 as follows:

21. Rome, February 25–March 2.<sup>2</sup>

22. Geneva, July 12–14.<sup>3</sup>

23. Geneva, December 15–21.<sup>4</sup>

<sup>1</sup> The Consultative Committee will include nationals of the following countries: Australia, Austria, Belgium, Great Britain, Canada, Chile, China, Colombia, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Luxemburg, Netherlands, Poland, Portugal, Rumania, Serb-Croat-Slovene Kingdom, Spain, Sweden, Switzerland, United States and Union of Socialist Soviet Republics, (which has declined to assist).

<sup>2</sup> *Official Journal*, VIII, p. 569.

<sup>3</sup> Same, p. 1165.

<sup>4</sup> C. 666. M. 224. 1927. II (1928. II. 2).

At the latter meeting the committee stated that for the immediate future "its main work must be to carry out the commercial policy advocated by the conference."

**Commercial Policy.** The Economic Committee at its 22nd meeting instituted measures to realize the recommendations of the Economic Conference concerning customs tariffs and commercial treaties and decided to institute an inquiry for the purpose of collecting practical information giving as clear a picture as possible of the existing situation. This information will be furnished by members of the committee as regards their respective countries and by qualified individuals with whom the Secretariat is in touch and whose competence it is in a position to appreciate. It will bear on the characteristic features of the tariffs of the various countries, autonomous tariff, double tariff, etc.; the advantages and disadvantages of the system in force from the point of view of the conclusion of commercial treaties; the form and application of the most-favored-nation clause, and the difficulties to which this application may have given rise in practice.<sup>1</sup>

At its 23rd session the committee divided this work among its members as rapporteurs and decided upon the specific questions to be studied. This program <sup>2</sup> is made up of three parts:

I, Treaty-making methods.

II, Equality of treatment. Most-favored-nation clause.

III, International action regarding tariffs.

Attempts will be made to give precise answers to a series of questions under each heading.

**Treatment of Foreign Nationals and Companies.** At its 22nd meeting the committee requested the Secretariat to collect material with a view to convoking an international conference to frame a convention on the treatment of foreign nationals and companies. The committee began a study of the subject in June, 1923, but at its 21st meeting only 10 states had replied to its inquiry. The Economic

<sup>1</sup> *Official Journal*, VIII, p. 1165.

<sup>2</sup> Economic Committee. *Report . . . on the 23rd Session*, p. 2, 8 (C. 666. M. 224. 1927. II. 1928. II. 2).



Conference, however, recommended continued activity after studying a series of proposals, formulated by the committee, on thorough investigations and a preliminary draft convention prepared by the International Chamber of Commerce.

Rapporteurs of the committee at its 23rd session submitted to it a draft convention. The committee accepted the framework and principles of this draft and will discuss the articles in detail at its 24th meeting on March 23. If it then succeeds in establishing a text, it will ask the Council's permission to submit it to Governments, with a diplomatic conference eventually in view.

**Customs Formalities.** The progress of the international convention relating to the simplification of customs formalities<sup>1</sup> was considered by the Economic Committee at its 21st session. The subject was before the International Economic Conference and the Eighth Assembly expressed the hope that states which had not adhered to it would do so at an early date. Up to October 20, 1927, ratifications and accessions to the number of 27 had been made.

The committee found that considerable progress in simplification was recorded in the reports communicated by states to the Secretary-General in virtue of Art. 9 of the convention, on measures taken to give effect to it. The committee also noted provisions of the convention were being more and more used as a basis for the settlement of similar questions in bilateral treaties, which had been found to embody in a large measure not only the principles of the convention, but also, in many cases, the very wording of its clauses.

**Mixed Committee on Economic Crises.** This committee, composed of members of the League Economic Committee and of experts appointed by the International Labor Office, met in its fourth session at Geneva May 1-2 to examine a memorandum submitted by the International Labor Office on the execution of public works as a remedy for unemployment, a question embodied in a recommenda-

<sup>1</sup> League of Nations, *Treaty Series*, XXX, p. 372.

tion of the International Labor Conference of 1919. The International Labor Office having expressed its intention of asking various Governments for information on their experience in this connection, the committee considered that the inquiry might bear on the following points:

Legislative or other provisions requiring more or less explicitly the reservation of public works for periods of unemployment;

Measures for the postponement of public works in times of great economic activity, with a view to reserving them for a period of slackened economic activity;

Measures for the execution, during a period of unemployment, of public works which would under ordinary circumstances have been undertaken at some later time;

Information concerning the nature of works so postponed or advanced;

Methods of subsequently utilizing labor set free owing to the postponement of works;

Arrangements for the accumulation by the authorities, during periods of prosperity, of reserve funds for financing public works in times of depression;

Methods employed by Governments to oblige or encourage local authorities to adopt, when desirable, a policy similar to that of Governments; etc.

**Tariff Nomenclature.** The Subcommittee of Experts on Tariff Nomenclature met at Geneva from August 22 to September 1 and again from October 12-31.

The Economic Conference stated that a fixed nomenclature for goods subject to customs duties was an essential condition of equity in their application and ease in their collection, and recommended that the Council take the initiative in drawing up an appropriate procedure for establishing a systematic customs nomenclature in accordance with a general plan covering all classes of goods. In July the Economic Committee decided to appoint a committee of customs experts to study the matter. The mandate of this committee consisted of an examination of the various principles upon which the general framework of a tariff might be based and of making suggestions as regards the further study of the question without losing

sight of the necessity of calling in the assistance of the economic circles concerned. The experts should take account of the principles arising out of certain resolutions voted by the Economic Conference, as regards not only the unification of nomenclature, but also the simplification of customs tariffs.

At their first session, the experts first endeavored to determine the principles according to which the new nomenclature should be drawn up. They recognized

1. that nomenclature should be simple;
2. that it should have a logical and, as far as possible, a scientific basis;
3. that, in classifying products and articles, account should be taken of the labor involved in their production;
4. that all products of the same kind should be grouped as far as possible in the same section or chapter.

On these bases the experts drew up a standard framework, endeavoring to show under what chapters the various categories of goods should figure. In so doing they took account of the tariffs of countries whose industrial development is very great. The subcommittee considered that this framework should undergo a practical test, to consist in regrouping according to these chapters, the German, Belgian, French, Italian and Czechoslovak tariffs to show what modifications are necessary.

The preliminary draft nomenclature completed at the second meeting of the subcommittee contains 95 headings grouped into 20 sections and includes all categories of goods forming the object of transactions, from natural products (raw materials) to semi-manufactured and finished wares. This classification is established on a simple and logical basis and abandons on certain points the practice hitherto adopted. An eventual sliding scale of duties is provided for by classification based on the quantity of labor required in the production of the imported wares. The scientific clarity of this nomenclature makes it possible for it to be easily understood not only by customs administrations but also by business men and tradesmen.

The difficulties in the way of the establishment of a unified tariff nomenclature were considerable. International conferences to study the question in 1900, at Paris and at Brussels in 1913 had dispersed after finding it practically impossible to make even a beginning as regards unification. The work accomplished by the five experts enables a different solution to be envisaged. Not only is it possible to realize the unification of nomenclature, but the scheme drawn up by the experts offers a framework in which it is possible to group all agricultural and industrial output. It may, therefore, be assumed that numerous other countries would be able to adopt this framework, under which it will be possible to compare the commercial import and export statistics of various countries.

**False Customs Declarations.** The Economic Committee decided at its 21st session to enlarge the scope of its examination of the repression of false customs declarations and to secure the opinion of experts on the juridical and technical aspects of the question.<sup>1</sup> In a report to the Seventh Assembly it had concluded that it was desirable to include in its investigations fraudulent declarations made in the course of commercial transactions, to the prejudice of bodies or persons or administrations other than customs authorities, since the law of some countries did not always regard as a punishable offense a false declaration to the prejudice of a foreign country.

**Bills of Exchange.** A Committee of Experts, including Ralph Dawson, vice-president of the Guaranty Trust Company, New York (replacing Albert Breton), met at Geneva, December 14-16, 1926, to study the difficulties encountered by bankers and merchants in daily business as a result of the divergences between the laws of different countries on bills of exchange. They concluded that any efforts undertaken should be primarily directed toward an attempt to assimilate or harmonize the laws of countries belonging to the Continental group. Such a result would

<sup>1</sup> *Official Journal*, VIII, p. 571.



be a first step toward closer harmony between the Continental and Anglo-Saxon systems.<sup>1</sup>

The Economic Committee, with the approval of the Council, convened a Committee of Legal Experts, at Geneva November 21-26. The experts were unanimously of the opinion that the summoning of an international conference should be proposed, in order to bring as nearly as possible into harmony the continental laws on bills of exchange and checks, and that this should be attempted on somewhat different bases from those hitherto taken. The experts took the prior conclusions of the Economic Committee as a basis for drawing up a series of provisional conclusions which it will submit to the Economic Committee, as soon as they have become definite. They will make the question of checks the principal subject of discussion at a meeting to be held on January 23, 1928.

**Statistics.** Three phases of international statistical work came before the Economic Committee during 1927.

On March 11 the Council approved "in principle the Economic Committee's proposal to convene a conference of official statisticians some time in 1928 with a view to the adoption of uniform methods for the establishment of economic statistics."<sup>2</sup> At its 23rd session the committee was able to suggest the broad lines of a program and selected seven experts to work with members of the committee in drafting the White Book of the contemplated conference. The experts will meet on March 19, 1928, and submit its draft to the 24th session of the Economic Committee on March 23. The conference is planned for November, 1928.

With respect to industrial statistics, the Economic Conference recommended cooperation with the chief industries to "arrive at international agreements with reference to the definition of the terms, the methods employed and the scope of the statistics." The International Chamber of Commerce offered to collaborate in this work. This

<sup>1</sup> *Official Journal*, VIII, p. 572, 583.

<sup>2</sup> Same, p. 396.

offer was welcomed and at its 23rd session the Economic Committee decided to appoint a committee of experts to explore the subject.

The Preparatory Committee on Statistical Methodology continued in existence, but in December the Economic Committee decided that its next meeting need not occur until after the conference scheduled for November, 1928.

### 5. Financial Committee

The committee met during 1927 as follows:

- 26. Geneva, March 2-9.<sup>1</sup>
- 27. Geneva, June 8-14.<sup>2</sup>
- 28. Geneva, September 1-7.<sup>3</sup>
- 29. Geneva, November 29-December 7.<sup>4</sup>

Jeremiah Smith, Jr., of Boston, formerly League Commissioner-General for the financial reconstruction of Hungary, was appointed an additional member of the committee by the Council on September 2 and attended the 29th meeting in that capacity for the first time.

**Double Taxation.** The Committee of Experts on Double Taxation and Tax Evasion completed in two meetings during 1927 four model conventions with detailed commentaries,<sup>5</sup> which have been submitted to Governments for their views and which during 1928 will be submitted to a general meeting of experts. The committee met at Geneva, January 5-12 and at London, April 6-12.

The committee was composed of officials, sitting as experts, of the fiscal administrations of Argentina, Belgium, Czechoslovakia, France, Germany, Great Britain, Italy, Japan, Netherlands, Poland, Switzerland and the United States. At the April meeting, the United States Treasury

<sup>1</sup> *Official Journal*, VIII, p. 509.

<sup>2</sup> Same, p. 920.

<sup>3</sup> Same, p. 1300.

<sup>4</sup> Same, IX, p. 240.

<sup>5</sup> Separately published, League of Nations, C. 216. M. 85. 1927. II. 40.

was represented by Professor Thomas S. Adams, president of the American Economic Association, former economic adviser to the Treasury Department, professor at Yale University, assisted by Mitchell B. Carroll, chief of Tax Division, Department of Commerce, and Miss Annabel Matthews, attorney, attached to the Board of Inland Revenue, Treasury Department.

While the committee completed its mandate, it regarded the texts as only a first step in handling a complex problem which it stated as follows: <sup>1</sup>

Double taxation, which affects mainly undertakings and persons who exercise their trade or profession in several countries, or derive their income from countries other than the one in which they reside, imposes on such taxpayers burdens which, in many cases, seem truly excessive, if not intolerable. It tends to paralyze their activity and to discourage initiative and thus constitutes a serious obstacle to the development of international relations and world production.

At the same time, any excessive taxation, by its very burden, brings in its train tax evasion . . . ; the suppression of double taxation is therefore, closely connected with the measures for the systematic prevention or checking of such evasion.

It is for this twofold purpose that efforts will have to be made to secure international cooperation with a view to making it possible to put a stop to an evil which has become especially acute owing to the increase in the fiscal burdens consequent upon the war; the measures advocated by the experts could not fail to bring about a reduction in, and a better distribution of, such burdens.

The committee was unable to reach agreement on all essentials. The points on which complete understanding could not be arrived at were left for negotiation and decision to any states seeking to conclude bilateral treaties. In order not to exceed its instructions, the committee refrained from examining in detail several correlated questions of international law, such as the doctrine of reciprocity, the treatment of foreign nationals, and the principle of the most-favored nation, in their relation to double taxation.

The two draft conventions on double taxation dealt

<sup>1</sup> *Double Taxation and Tax Evasion. Report*, p. 8-9 (1927. II. 40).

with the prevention of double taxation in direct impersonal or personal taxes, and with succession duties. The two on tax evasion dealt with administrative assistance in matters of taxation and judicial assistance in the collection of taxes.

The committee preferred to draw up standard bilateral conventions, considering that, if these texts were used by Governments, a certain measure of uniformity would be introduced in international fiscal law and later a system of general conventions might make possible the unification and codification of the rules previously laid down. On this decision the committee in its report to the Financial Committee said: <sup>1</sup>

In the matter of double taxation in particular, the fiscal systems of the various countries are so fundamentally different that it seems at present practically impossible to draft a collective convention, unless it were worded in such general terms as to be of no practical value. In the matter of tax evasion also, although unanimity would not seem to be unattainable, there is no doubt that the accession of all countries to a single convention could only be obtained as the result of prolonged and delicate negotiations, while there is no reason to delay the putting into force of bilateral conventions which would immediately satisfy the legitimate interests of the taxpayers as well as those of the contracting states.

In order to make systematic and continuous international cooperation possible in this field, the committee suggested that a permanent organization for taxation questions should be set up under the auspices of the League. Its principal task would be to hasten the solution of the problems of double taxation and administrative and judicial assistance. It might, in particular, give its attention to the following points: <sup>2</sup>

(1) Periodical investigations and reports on the general situation in regard to these problems;

(2) The preparation of model bilateral conventions or collective conventions and revised texts thereof;

<sup>1</sup> *Double Taxation and Tax Evasion. Report*, p. 8.

<sup>2</sup> Same, p. 31.



(3) The preparation of any other international measures calculated to eliminate double taxation and to secure a more equitable distribution of fiscal burdens;

(4) Comparison of fiscal systems;

(5) Preparation of general conferences.

**Counterfeiting Currency.** The Mixed Committee for the Suppression of Counterfeiting Currency established by the Council on December 10, 1926,<sup>1</sup> met in two sessions at Geneva, June 23–26 and October 10–13. It completed a draft convention which with its report was forwarded to all Governments for their opinion by the Council on December 6,<sup>2</sup> when it instructed the Secretary-General to convene a general conference within a year. The desirability of codifying the international law applicable to extradition and letters rogatory was recognized.

The committee consisted of the chairman of the Financial Committee, three delegates of banks of issue, four experts in international law and three representatives of the prosecution authorities of Governments. In the latter group W. H. Moran, chief of the Secret Service, Treasury Department of the United States, was included.

The draft convention consists of 11 articles,<sup>3</sup> the first of which in 16 paragraphs lays down rules to be recognized as most effective for insuring the prevention and punishment of counterfeiting. In general the draft provides for the unification of domestic legislation to insure that criminals shall in no case be able to escape punishment, but shall be faced in all countries with penal measures which are severe and as far as possible certain. The list of recognized criminal offenses punishable with adequate penalties shall include all fraudulent manufacture or counterfeit of currency, no matter what means are employed for this purpose, and all fraudulent uttering of currency, including the act of bringing into the country or of being in possession of falsified or counterfeited currency with a

<sup>1</sup> *Official Journal*, VIII, p. 158, 188; 140, 180.

<sup>2</sup> Same, IX, p. 121.

<sup>3</sup> *Report and Draft Convention*, p. 18 (C. 523. M. 181. 1927. II. 70).

view to uttering it, the word currency being understood to mean paper money or metallic money which is legal tender. In no case shall a breach of the convention be deemed a political offense, owing to the political motive of the offender. It also provides for the establishment of a police organization to insure the rapidity and cohesion indispensable to the efficacy of all inquiries of which offenders are the subject. Investigations shall be organized in each state, so far as national legislation permits, by a central police office which will receive all information of a nature to facilitate the investigation, prevention and punishment of counterfeiting. The central offices of the different states will correspond directly with each other.

The draft convention further provides that any disputes which may arise between the high contracting parties regarding its interpretation or application shall, if not settled by direct negotiation, be referred to the Permanent Court of International Justice.

"In order to insure, improve and develop direct international cooperation in the prevention and repression of counterfeiting currency, the representatives of the central offices of the high contracting parties" will hold periodical "conferences with the participation of representatives of the banks of issue and of the central authorities concerned." The organization and management of a central international information office might form the subject of one conference.

**Bulgarian Refugee Settlement.** The scheme for the settlement of the refugees in Bulgaria begun in 1926 came into full operation in 1927. The Refugee Settlement Law voted on December 9 had been promulgated on December 14. The loan of about \$15,000,000 authorized by the Council had been simultaneously issued in London and New York on December 21, and had been a complete success. The new statutes of the National Bank came into force on January 1, 1927.

The yield of the assigned revenues had increased up to November 15, 1927, until they exceeded the budget

estimates, the favorable situation being due to other than seasonal causes.

The scheme comprises the settlement of about 19,000 families, according to the list published in November. An active anti-malaria campaign is being conducted, as well as other health preservation measures.

Of the 1,300,000 decares to be provided by Bulgaria, 594,767 had been surveyed and 260,995 allotted to 7,552 families on November 1. From the beginning 2,399,662 kilograms of seeds had been distributed to 8,066 families, 6,454 animals allotted to 4,554 families, while 1,000 carts had been placed in use.

By November 15 building construction was just beginning to be effective. Then 101 houses were completed, 307 near completion and 804 under contract, the total of 1,212 comparing with only 271 on August 15.

**Greek Refugee Settlement.** The work of the commission during the year was more administrative than formerly and was chiefly devoted to such matters as completing an urban census of refugees, arranging for a cadastral survey of lands under the control of the commission, and multifarious details of similar character. On September 30 the financial statement showed assets of £11,093,169, of which £8,007,806 represented expenditures in agricultural settlement and £1,080,125 for urban settlement.

The commission accepts from its refugee debtors bonds of the 8% loan issued for the indemnification of exchangeable refugees from Turkey as security for their debts. The National Bank of Greece was charged by the Government with the administration and liquidation of the immovable property abandoned by Moslems exchanged under the Lausanne convention.<sup>1</sup> The provisional value of 54,891 estates taken over was estimated at 4,431,763,733 drachmas. Against this property value as cover are issued the indemnification bonds which are made over to

<sup>1</sup> *Treaty Series*, XXVIII, p. 55.

exchangeable refugees benefiting under the settlement scheme.

Charles B. Eddy continued as chairman of the commission. Bert Hodge Hill, director of the American School of Classical Studies at Athens, acted for him during his annual leave.

### LOAN CONTRACTS

The Financial Committee has been the medium by which a number of loans have been secured by Governments under the auspices of the League. This function has been exercised in the following instances:

Country	Protocol	Amount	Rate
Austria	Oct. 4, 1922	585,000,000 gold crowns . . .	7
Hungary	Mar. 14, 1924	250,000,000 gold crowns . . .	7½
Greece	Sept. 19, 1924	£10,000,000 . . .	7
Danzig	Feb. 19, 1925	40,000,000 gulden . . .	7
Bulgaria	Sept. 8, 1926	{ £ 2,112,000 } . . .	7
		{ \$ 3,915,000 } . . .	
Estonia	Dec. 10, 1926	{ £ 700,000 } . . .	7
		{ \$ 4,000,000 } . . .	
Danzig, Municipality	June 1927	£ 1,900,000 . . .	6½
Danzig Har- bor Board	July 1927	\$ 4,500,000 . . .	6½
Bulgaria	Sept. 12, 1927 <sup>1</sup>		
Greece	Sept. 15, 1927	{ £ 4,070,960 <sup>2</sup> } . . .	6
		{ \$17,000,000 } . . .	
Portugal	Nov. 24, 1927 <sup>1</sup>		

**Greek Stabilization and Refugee Loan.** The Financial Committee, in connection with Art. VI of the Greek Refugee Settlement protocol, whereby the Greek Government undertook "to make every effort to secure as soon as possible complete equilibrium between the ordinary receipts and the expenses of the State," requested the Secretariat to collect as complete information as possible on the budget situation before June, 1927. It added: <sup>3</sup>

<sup>1</sup> Application.

<sup>2</sup> \$19,811,327.

<sup>3</sup> *Official Journal*, VIII, p. 510.



In view of the statement of the Settlement Commission that the work of establishment can not be satisfactorily completed without an additional loan, the committee thinks it may be well to add — though no application for such an additional loan has been made by the Greek Government, — that, if such an application should be made, it would be absolutely indispensable that the committee should have complete information of a kind which will give it a clear picture of the whole situation.

The Greek representative at the Council meeting of March 10, stated that the finance minister would shortly introduce his budget, and on that occasion would make a complete and clear statement of the financial situation of the country. These explanations, he felt sure, would be satisfactory.<sup>1</sup>

On June 14 the Greek finance minister asked the Council to approve in principle a sterling loan and authorize the Financial Committee to assist in its financial reorganization.<sup>2</sup> At its 27th session the Financial Committee had before it detailed information on the Greek banking and budget position collected by a delegation from the League Secretariat, headed by M. Avenol, deputy Secretary-General. In the course of the discussions further information was given by the Greek foreign minister, the Greek finance minister, and the assistant governor of the National Bank with regard to budget equilibrium and the reorganization of the Bank.

The Financial Committee concluded that the monetary position was such as to justify immediate measures with a view to the stabilization of the drachma on a gold exchange basis. It noted that the necessity of revising the functions of the National Bank had been fully recognized. Subject to satisfactory measures on these points, the committee thought that definite equilibrium and stabilization should be practicable in conjunction with a loan.

The Council, including M. Kaphandaris (Greece), discussed the report of the committee and the request of the

<sup>1</sup> *Official Journal*, VIII, p. 383.

<sup>2</sup> Same, p. 926.

Greek Government on June 17. It approved and adopted the report, and, subject to the conditions stated, agreed in principle with the proposals of the Greek Government. It authorized the Financial Committee to continue to cooperate with the Greek Government with a view to the Council's being able to approve a detailed scheme for the issue of a comprehensive loan under the auspices of the League. On September 15 the Council <sup>1</sup> definitely approved a scheme drawn up by the Financial Committee in collaboration with the Greek Government for the issue of a loan of not more than £9,000,000, secured upon certain surplus revenue, under the control of the International Financial Commission. It also approved a protocol and annexes which were signed by the Greek Government on the same day.

Of the proceeds of the loan, £3,000,000 will be used for repaying part of the state debt, three millions to pay off outstanding arrears and three millions for the further settlement of refugees. The Greek Government undertakes to found a new bank of issue in which all state receipts and payments will be centralized. During the next three years the budget will be maintained, if possible, within the limit of 9,000 million drachmæ. Short-term borrowing by the Government is limited to a maximum of 800 million drachmæ.<sup>2</sup>

The Council at its 48th session in December took the final decisions. The Greek Government had ratified the protocol and taken other necessary steps. The French, British and Italian Governments on December 7 had agreed to give the International Financial Commission at Athens necessary instructions to arrange for the service of the loan.

**Danzig Loans.** The Municipality of Danzig in 1925 floated a loan under the auspices of the League. The principle of the issue of this loan by the Free City was

<sup>1</sup> *Official Journal*, VIII, p. 1134.

<sup>2</sup> For the protocol and other relevant documents see *Greek Stabilisation and Refugee Loan*, C. 556. M. 198. 1927. II. 74.

approved by the Council in December, 1926, subject to the Financial Committee's being satisfied that certain conditions had been fulfilled. In March the Council<sup>1</sup> was able to note that, as a result of the work of the Financial Committee, the more important of these conditions, particularly those concerning the Polish-Danzig customs agreement and the tobacco monopoly, might be so considered. It accordingly expressed its hope that the remaining formalities would be promptly carried out. The loan is for the consolidation of the floating debt, payments to the Conference of Ambassadors and the Reparation Commission, and building of houses. The loan amounts to £1,900,000, and bears  $6\frac{1}{2}\%$  interest, and was issued in June at London and Amsterdam.

The Danzig Harbor Board desired a loan for its own purposes and the committee saw no objection to it, provided it was issued after the loan of the Free City.<sup>2</sup> The loan, \$4,500,000, bearing  $6\frac{1}{2}\%$  interest, was issued in July at New York and Amsterdam.

**Banking and Currency Reform in Estonia.** The question of the Estonian banking and currency reform was discussed by the Council on March 10 when it noted a report of the Financial Committee on the subject. The issue, under the auspices of the League, of an Estonian state loan had been approved by the Council in December. Certain preliminary conditions had been stipulated, in particular, the drafting of a law for the reorganization of the bank of issue, the transfer to that bank of the state note issue, and a currency law.

These laws were approved by a special subcommittee of the Financial Committee cooperating with the Estonian Government experts. The Financial Committee accordingly authorized its chairman to approve the conditions of the loan, in accordance with the protocol signed by the Estonian Government at Geneva, December 10, 1926.<sup>3</sup>

<sup>1</sup> *Official Journal*, VIII, p. 142, 175, 386, 511.

<sup>2</sup> Same, p. 806, 925.

<sup>3</sup> For all relevant documents see *Banking and Currency Reform in Estonia, Protocol*. . . . (C. 227. M. 89. 1927. II. 45).

The loan was issued in June, bearing 7% interest, £500,000 in London, £200,000 in Amsterdam and \$4,000,000 in New York.

**Application by Bulgaria.** The Council on September 15, 1927, received the following application from the Bulgarian Government:

The Bulgarian Government, having settled, with the valuable help of the League of Nations, the serious and urgent problem of the settlement of Bulgarian refugees, is continuing its policy of peace and stabilization, and considers the fixing of its finances on a firm basis as an essential step in this direction. In this work, however, the Government is encountering considerable difficulties.

Having very carefully examined the country's financial and economic possibilities, the Government has come to the conclusion that this task can only be accomplished with the help of a foreign loan.

As the League of Nations has, on several occasions, given its valuable patronage and assistance to similar work for the consolidation and reconstruction of countries whose finances have been undermined by the war, we venture to ask the Council to be good enough to instruct its organs to study a plan for the financial reconstruction of Bulgaria through the issue of a foreign loan.

The Bulgarian Government is confident that its request is entirely within the scope of the great work of the League and hopes that it will be favorably received by the Council.

(Signed) A. BOUROFF,  
*Minister of Foreign Affairs.*

WL. MOLLOFF,  
*Minister of Finance.*

At its 29th session, the Financial Committee heard a report from a delegation of its members who had paid a visit to Sofia, and had before it also information secured by members of the Secretariat and furnished by the Bulgarian Government and the Bulgarian National Bank. Considerable progress had been made toward working out a plan of reconstruction; but, since the plan was not completed, the Council authorized the Financial Committee to continue its study and to submit a report at the next session of the Council to be held on March 5.

**Application by Portugal.** On December 5 the Council referred to the Financial Committee and to the Secretariat



for study and report the following application from the Portuguese Government:

The Portuguese Government is desirous to carry out a complete scheme of financial reconstruction, currency stabilization and economic development.

The Government believes it impossible to meet these three objects without concluding an external loan of considerable amount and, besides, thinks that important advantages could be obtained in case the operation should be carried out with the acquiescence of the Council of the League of Nations.

For the reasons stated above, I have the honor, on behalf of the Portuguese Government, to request you to be so good as to ask the Council to authorize the Financial Committee of the League of Nations to examine the question and thus enable the Council to give its opinion with regard to the wishes of the Portuguese Government that the loan should be floated under the auspices of the Council of the League of Nations.

(Signed)                      JOÃO J. SINEL DE CORDES,  
*Finance Minister of the Portuguese Republic.*

**Mixed Greco-Bulgarian Emigration Commission.** The operation of the convention on November 27, 1919, for reciprocal emigration between Bulgaria and Greece has from the beginning been managed by a commission appointed by the Council of the League. The extensive interchange of population very early resulted in financial arrangements for the liquidation of properties abandoned by Bulgarians or Greeks who had elected to take up residence in the country of their nationality. A plan of payment for the properties involved was adopted on December 8, 1922, and its liquidation has been effected through Greek and Bulgarian 6% loans, the final certificates of which were due for amortization as from January 1, 1925. By the payments plan "the service of these bonds should be insured by an annuity guaranteed by definite and sufficient revenues placed under the control of an international financial body." Documents presented to the Council on September 3 indicated that of a total of 40,000 claims presented by emigrants, the number of liquidations had risen to 10,600 and that the question

of providing satisfactory security for the bonds given in liquidation to emigrants had definitely arisen.<sup>1</sup>

The problem was referred to the Financial Committee which worked out an agreement, signed at Geneva on December 9, 1927, by the representatives of Bulgaria and Greece and the president of the Mixed Commission.<sup>2</sup> By this arrangement, the provisional certificates are to be exchanged for final certificates and the funds resulting from the liquidation of properties — some \$35,000,000 — are to be deposited in the National Bank of Bulgaria and the Greek Bank of Issue as sinking funds. Semi-annual drawings of the final certificates will result in the owners of the liquidated properties recovering their money. The Council approved the decision on December 12.

<sup>1</sup> *Official Journal*, VIII, p. 776, 885.

<sup>2</sup> Financial Committee. Report . . . of 29th Session, p. 5 (C. 643. M. 211. 1927. II. 75).

## IV. ARBITRATION, SECURITY, DISARMAMENT

### 1. General Survey

The development of the armament problem in the League has become so many-sided that it may be clarifying to recall the stages of thought which have carried it to the status it had reached at the end of 1927.

Armament is essential to the conduct of war. War, however, occurs only as the result of a dispute. Therefore, if every dispute is certain to be solved by some application of methods of pacific settlement, the occasion for war and the need of armament for warlike purposes does not exist. Thus, arbitration fosters a sense of security; security provides a basis for reducing armament.

The Covenant does not state this syllogism, but it contains its elements. By Art. 8, "the Members recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations." By Art. 12, the Members "agree in no case to resort to war until three months after" "any dispute likely to lead to a rupture" has been submitted "to arbitration or judicial settlement or to inquiry by the Council" and the result of the submission has been rendered.

Further, Art. 8 provides that "the Council, taking account of the geographical situation and circumstances of each state, shall formulate plans" for reduction of armament "for the consideration and action of the several Governments."

The Council has been seeking to formulate such plans since 1920; but, while much has been done, the task as a whole at the end of 1927 had developed ramifications and technical complications from which the semblance of acceptable formulas had only begun to emerge.

Art. 12 of the Covenant required no development for it has constituted an agreement between Member states from the outset. Since it enjoins a state to make use of pacific methods of settling disputes, it encouraged them to devise treaties applicable to their special conditions and problems. The addition of the Permanent Court of International Justice to the machinery of pacific settlement and the combining of arbitration and conciliation in bilateral treaties so as to cover the entire possible range of disputes served both to make the agreement more important and practicable.

The connection previously felt between the armament problem and the settlement of disputes was given form in 1924 in the slogan, "arbitration, security and disarmament," and its result, the Protocol for the Pacific Settlement of International Disputes, popularly called "the Geneva Protocol."<sup>1</sup> The failure of the Protocol to command requisite support became evident in March, 1925, but the clarification which its preparation had afforded provided the opportunity for devising formulas for pacific settlement which since that date have been accepted in a very large number of bilateral treaties, including the series signed at Locarno on October 16, 1925. The solution of disputes by acceptable methods of arbitration or conciliation was thereafter recognized as contributing to the security of the state, and this opened the way to reduce national dependence upon armament in another direction.

The theory of the Protocol was that complete insurance of the peaceful settlement of all disputes was to be provided for; after which the problem of reducing armament could continue on a fixed and agreed basis of security. When it became evident that the Protocol was not to be made effective, the Preparatory Commission for the Disarmament Conference was created to study the problems involved in "disarmament" chiefly with respect to its technical aspects. Some of these are exceedingly complex and at almost every stage there have developed

<sup>1</sup> League of Nations, C. 606. M. 211. 1924. IX.



questions to which the answer must be sought outside the purely technical facts and conditions. Many of them have appeared to be insoluble under the conditions of tension assumed by experts to be the underlying reason for maintaining armament. As a consequence, from several points of view its proceedings have raised the question of what is the existent degree of security, for which armament is to be provided.

The states Members of the League are independent and are not subject to any rules except those which they have voluntarily and positively accepted. While the ideas which resulted in the Covenant were incubating in the public mind during the World War, the conception of enforcing methods of pacific settlement with the available armament of the peace-desiring states was well to the fore. In the final draft of the constitution of the League of Nations accepted by the states at Paris that idea is embodied in the sanctions provided for in Art. 16 of the Covenant.

What provisions should be agreed upon to insure the operation of Art. 16 in case of need — in practice it has not been called into operation in any dispute coming before the Council — were studied without definite result in 1920 and 1921. The desire for certainty on this matter came into the Preparatory Commission's agenda as a result of question V (b).<sup>1</sup> It is intimately related to the problem of the relative security derivable from the increase of pacific settlement on the one hand and the reduction of armament on the other.

This problem of security was studied during 1927 in some of its purely physical phases, such as the rapidity with which the League's peace machinery could be brought into action. Increased understanding was gained both of the mechanism and extent of mobilizing the effectives of pacific settlement.

Such are the considerations developed by the League in trying to put Art. 8 of the Covenant into full effect. The

<sup>1</sup> See *Seventh Yearbook*, p. 236.

period up to December 12, 1925, was devoted to general investigation. On that date the Council determined the program of the Preparatory Commission for the Disarmament Conference in the form of a questionnaire, confined to armament and security, particularly in its regional aspects, and also including the possibilities of mutual assistance under Art. 16. In the commission other questions relating to the operation and effect of the Covenant's articles on pacific settlement were introduced. The commission examined the questions properly before it in their technical military and also in their economic aspects. By reference to other League bodies and expert committees points not within its competence were considered. The action in 1926 was exploratory in respect to technical aspects of the problem.

In 1927 decisions began to be taken. Those concerned with the League machinery were well advanced. The commission itself, having collected a vast amount of information and having reached some decisions in principle, undertook to put the points agreed upon into orderly form. As a consequence, a partial text of a disarmament agreement was passed in first reading. It disclosed at once that some progress had been made and that some of the most fundamental phases of the armament problem were either not agreed upon or still remained to be discussed. But the draft dealt with the problem in its full extent for the first time.

Having examined the entire work, the Eighth Assembly, without mentioning by name the Protocol of 1924, again associated arbitration and security with disarmament. It passed a resolution declaring against all wars of aggression <sup>1</sup> and the employment of every pacific means of settling disputes, and it invited the Council to place at the commission's disposal a committee "to consider . . . the measures capable of giving all states the guaranties of arbitration and security necessary to enable them to

<sup>1</sup> See below, p. 90 [250].

fix the level of their armaments at the lowest possible figures in an international disarmament agreement."

The second reading of the disarmament draft agreement is scheduled for the fifth session of the Preparatory Commission, beginning March 15, 1928, and it is hoped that the official conference can take place before the end of 1928.

## 2. Program of Future Work

The debate in the Assembly on the Report on the Work of the Council constantly turned on the armament problem. Arbitration and security were early brought into it and differing views of the progress made and the methods to be pursued were expressed.

The Netherlands delegation on September 6 introduced a resolution suggesting resumption of study of the principles of the Protocol of 1924, combining arbitration, security and disarmament. The French delegate in the Third Committee on September 16 presented a draft resolution recommending the conclusion of arbitration agreements and the study of guaranties of security. Finally, the German delegation on September 19 introduced in the Third Committee a proposal that the Preparatory Commission hasten its work so that the conference could take place before the Assembly of 1928.

These proposals on examination were found to supplement each other and they were embodied in a single resolution which was adopted by the Assembly on September 26.<sup>1</sup>

In explanation of the last paragraph the Third Committee in its report said: <sup>2</sup>

The committee desires to point out that the agreements therein mentioned are not in any way to be confused with such alliances as it was possible for countries to contract for political purposes of one kind or another before the Covenant of the League established general

<sup>1</sup> *Resolutions and Recommendations of the Eighth Assembly, Official Journal, Spec. Sup. No. 53, p. 24.*

<sup>2</sup> A. 108, 1927, IX, 11, p. 3. See also *Records of the Eighth Assembly. Meetings of the Committees. Minutes of Third Committee. Official Journal, Spec. Sup. No. 57, p. 69.*

principles and obligations which introduced a measured harmony into international life. The agreements referred to in the resolution are to be regarded as means for enabling states which wish to enter into closer mutual engagements than are provided by the Covenant to help each other to discharge more effectively, so far as they are concerned, the obligations embodied in the Covenant itself. These agreements, therefore, are to be regarded simply as instruments for applying the principles of the League more effectively in specific regions.

The Council on September 27 decided to forward the resolutions to the Governments Members and non-Members of the League;<sup>1</sup> and this was done.

### 3. Armament

#### PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The commission held its third session at Geneva March 21–April 26, the session running to 39 public meetings.<sup>2</sup> The fourth session was held at Geneva November 30–December 3 and was the first which was attended by representatives of the Soviet Union in response to the invitation of December 12, 1925.

The membership of the Council having changed in September, the states on the commission were altered. The newly elected Members of the Council — Canada, Cuba, Finland — were entitled to representatives *ex officio*. Salvador retired. The Council on September 28 decided to retain Belgium and Czechoslovakia and to add Greece, in view of the importance of the element of arbitration, and the fact that the Greek representative, Nicolas Politis, was rapporteur of the Protocol in 1924.<sup>3</sup> As constituted at the fourth session the commission is made up of representatives of: Argentine Republic,

<sup>1</sup> *Official Journal*, VIII, p. 1446.

Subcommission B (economic questions) met at Geneva on March 16–17 to take note of the work of the committees of experts on civil aviation and on national defense expenditure. The reports were forwarded to the Preparatory Commission, as Subcommission B was not called upon to take any decision.

<sup>3</sup> *Official Journal*, VIII, p. 1444, 1448, 1454.



Belgium, Bulgaria, British Empire, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Finland, France, Germany, Greece, Italy, Japan, Netherlands, Poland, Rumania, Serb-Croat-Slovene State, Sweden, Union of Socialist Soviet Republics, United States of America.

**First Reading of Draft Convention.** At its third session the commission examined the reports submitted to it by technical subcommissions with regard to the questionnaire it had been instructed to study.<sup>1</sup> The commission was of the opinion that these preliminary investigations were such as to permit it to undertake forthwith the study of a draft convention. Preliminary drafts had been submitted to it by the British and French delegations. The commission's report says: <sup>2</sup>

The commission has endeavored, during the present session, to draw up a text which could serve as a basis for discussion at the second reading. It has not succeeded in establishing a single text for all the points discussed. The present document shows separately for each of the parts the points on which unanimity was obtained, as well as the reservations submitted by the various delegations on certain specific points. Where it has not been possible to establish a unanimous text this document gives the different proposals submitted. It has been generally understood that the acceptance of each delegation at first reading does not prejudice the attitude it might adopt at the second reading and does not bind it in any way.

In the course of the discussion, several suggestions and proposals were put forward, either in order to meet exceptional situations, or with a view to inserting into the convention limitations or general clauses other than those which had been unanimously adopted at the first reading by the commission or which had been put down as parallel texts. These proposals and suggestions are reproduced in the minutes of the commission. It is understood that each delegation retains full freedom to reconsider at the second reading such suggestions or proposals and to put forward fresh ones.

The discussion seems to suggest that it might be advisable to classify the matter into five parts, which might constitute the five chapters of the draft convention as a basis for the second reading.

Chapter I. — Effectives.

Chapter II. — Material.

<sup>1</sup> *Seventh Yearbook*, p. 243-256.

<sup>2</sup> *Official Journal*, VIII, p. 860, where the full text is printed.

- Chapter III. — Budgetary Expenditure.  
 Chapter IV. — Chemical Warfare.  
 Chapter V. — Miscellaneous Provisions.

This division is, of course, liable to alteration at the second reading.

The detailed draft was included in the report, which was adopted by the Council on June 15.

The second reading was assigned to the fifth session of the commission, beginning March 15, 1928.

**Soviet Union Proposal.** At the fourth session of the commission, which was the first attended by the Moscow Government, the delegation of the Soviet Union presented a memorandum in which it proposed in effect the abolition of all armament. Viewed as an amendment to the draft already prepared, these proposals were referred to the fifth session of the commission for consideration in connection with the second reading of the draft convention. The Soviet proposals in substance were: <sup>1</sup>

II. The U. S. S. R. delegation is authorized by its Government to propose the complete abolition of all land, naval and air forces.

The Government of the U. S. S. R. suggests the following measures for the realization of this proposal:

(a) The dissolution of all land, sea and air forces and the non-admittance of their existence in any concealed form whatsoever.

(b) The destruction of all weapons, military supplies, means for chemical warfare and all other forms of armament and means of destruction in the possession of troops or in military or general stores.

(c) The scrapping of all warships and military air vessels.

(d) The discontinuance of calling up citizens for military training, either in armies or public bodies.

(e) Legislation for the abolition of military service, either compulsory, voluntary or recruited.

(f) Legislation prohibiting the calling-up of trained reserves.

(g) The destruction of fortresses and naval and air bases.

(h) The scrapping of military plants and factories and of war industry equipment in general industrial works.

(i) The discontinuance of assigning funds for military purposes both on state budgets and those of public bodies.

<sup>1</sup> *Documents of the Preparatory Commission . . .*, Series V, p. 10 (C. 667. M. 225. 1927. IX. 1928. IX. 2). *Draft Disarmament Convention submitted by Union of Socialist Soviet Republics*, 1928. IX. 5; *Corrections* [Art. 41], 1928. IX. 5. Erratum.

(*k*) The abolition of military, naval and air ministries, and the dissolution of general staffs and military administrations, departments and institutions of every kind.

(*l*) The legislative prohibition of military propaganda and military training of the population and of military education, both in State and public bodies.

(*m*) The legislative prohibition of the patenting of all kinds of armaments and means of destruction with a view to the removal of incentives to the invention of the same.

(*n*) Legislation making the infringement of any of the above stipulations a grave crime against the state.

(*o*) The withdrawal or corresponding alteration of all legislative acts, both of national or international scope, infringing the above stipulations.

III. The delegation of the Union is empowered to propose the execution of the above program of complete disarmament as soon as the convention in question comes into force, in order that all the necessary measures for the destruction of military stores be completed in a year's time.

The Soviet Government considers that the above scheme for the execution of complete disarmament is the simplest and the most conducive to peace.

In the case, however, of capitalist states rejecting immediate actual abolition of standing armies, the Soviet Government, in its desire to facilitate the achievement of a practical agreement on complete disarmament, is prepared to make a proposal for complete disarmament to be carried out simultaneously by all contracting states, by gradual stages, during a period of four years, the first stage to be accomplished in the course of the coming year.

National funds, freed from war expenditure, to be employed by each state at its own discretion, but exclusively for productive and cultural purposes.

IV. While insisting upon the views just stated, the delegation of the Union of Socialist Soviet Republics is nevertheless ready to participate in any and every discussion of the question of the limitation of armaments whenever practical measures really leading to disarmament are proposed.

V. The delegation declares that the Government of the Union fully subscribes to the Convention on the prohibition of the application to military purposes of chemical and bacteriological substances and processes, expresses its readiness to sign the Convention immediately while insisting on an early date being fixed for its ratification by all States, and considers that, in order to ensure the practicability of the Convention, it would be necessary to raise the question of the establishment of workers' control over those chemical industries susceptible of being rapidly converted to war purposes in states having a highly developed chemical industry.

## COMMITTEE OF EXPERTS ON CIVIL AVIATION

This committee met in Brussels from February 7 to 12 to examine the economic consequences to civil aviation which might be entailed by various systems of limitation of air armaments. The committee was appointed to report to Subcommission B. Harry F. Guggenheim served as the American member.

The committee decided that, in any limitation of air armaments, it was essential to avoid hampering the development of civil aviation.

Civil aviation must in itself be regarded as one of the most important factors of civilization, and its free development should not be hampered by any consideration unconnected with scientific, economic and social progress and of the improvement of international communications. In each of the systems of limitation examined the committee discovered economic disadvantages which, it considered, would hamper the development of civil aviation. The committee, recommended that every effort should be made to establish a definite distinction between civil and military aviation; in this way civil machines would be able to give a maximum economic return and become less and less useful for military purposes.<sup>1</sup>

The Assembly considered this report and confirmed its conclusions in the following resolution on September 26:<sup>2</sup>

Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organization, between the requirements and developments of civil aviation and those of military aviation;

And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation:

The Assembly,

Declares that it is desirable for this purpose that the development of civil aviation should be directed solely toward economic ends to the exclusion of military interest;

<sup>1</sup> *Preparatory Commission. Subcommission B. Report No. II, p. 4 (C. P. D. 39. 1927. IX. 3).*

<sup>2</sup> *Official Journal, VIII, p. 1482.*



Recommends all states Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Preparatory Commission for the Disarmament Conference:

And requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations.

In calling this resolution to the attention of Member states, the Secretary-General forwarded the text of the decisions adopted on first reading by the Preparatory Commission at its third session and which embody the conclusions of the Committee of Experts: <sup>1</sup>

1. If the high contracting parties intervene in any capacity, whether directly or indirectly, wholly or partially, in civil aviation undertakings, they agree that the state organs dealing with the matter shall be quite separate from the organs dealing with military aviation. It is agreed that this undertaking does not prevent the union of civil and military aviation under a single ministry provided that the two subjects are dealt with separately and independently.

2. The high contracting parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return.

3. The high contracting parties undertake not to require of civil aviation undertakings that they should employ only personnel specially trained for military purposes.

They undertake to authorize only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

4. The high contracting parties undertake not to subsidize, directly or indirectly, air lines principally established for military purposes, instead of being established for economic administrative or social purposes.

5. The high contracting parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

<sup>1</sup> *Official Journal*, VIII, p. 869.

## COMMITTEE OF EXPERTS ON NATIONAL DEFENSE BUDGETS

A Committee of Budget Experts met in Paris February 21-26 to examine questions in connection with national defense expenditure and the possibility of drawing up a model statement of such expenditure. The committee in a session beginning June 7 finished its work. This committee was constituted on the proposal of the Joint Commission. Such a model statement of national defense expenditure might make it possible to introduce in a disarmament convention the principle of the limitation of defense expenditure, and afford a means of keeping a watch upon the due observance of the convention with a minimum of interference in the domestic affairs of a country. The trial model statement resulting from the first session<sup>1</sup> was simplified at the second, when the following conclusions were unanimously adopted by the committee:

In consequence of the simplicity of the model statement the committee has drawn up notes explaining how the various headings of the model statement are to be regarded as ideals from which states may deviate to a certain extent, explaining their reasons for so doing.

It is necessary to provide for some system of coordinating the totals in the model statement and the totals in the national defense budgets. It is further necessary on technical grounds to arrange for the co-ordination of the figures in the model statement with those in the budget according to a uniform plan, but it is for the Governments to decide whether they will forward a coordinating statement to the competent organization.

The committee considers that for any given country the headings of the model statement can be filled in in the same manner every year unless material changes take place in the military organization or in the methods of financial administration of the country in question.

On the other hand, the committee considers that the different headings in the model statement can not in present circumstances be filled in by all the states in precisely the same way, but it hopes that as experience is gained with the model statement these differences will progressively diminish.

<sup>1</sup> *Preparatory Commission. Subcommission B.* Report No. III, p. 19 (C. P. D. 40. 1927. IX. 4).

#### 4. Arbitration and Security

##### COMMITTEE ON ARBITRATION AND SECURITY

The Committee on Arbitration and Security met on December 1-3 and adjourned until February 20, 1928. Edward Beneš (Czechoslovakia) was chosen chairman of the commission. Nicolas Politis (Greece) was named rapporteur on security agreements; R. Holsti (Finland) on arbitration agreements, and V. H. Rutgers (Netherlands) for the articles of the Covenant.

The committee was provided for by Sec. 3 of the principal resolution of the Eighth Assembly on the general subject <sup>1</sup> and was appointed by the Preparatory Commission at its fourth session as requested by the Council's resolution of September 27.<sup>2</sup> The committee is composed of representatives of all states represented on the Preparatory Commission, whether Members or non-Members of the League, if the latter desire to sit.

The United States gave as a reason for not participating the inability of the Department of State to negotiate a treaty guaranteeing other states against an aggressor or providing for its joining in the defense of another country. The Soviet Union participated through an "unofficial observer."

The prescribed duty of the committee is "to consider along the lines indicated by the commission, the measures capable of giving all states the guaranties of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement." The purpose of the committee was stated by the Third Committee of the Assembly in this explanation: <sup>3</sup>

It is recognized on all hands that the greater the improvement in the conditions of security and the more decided the nature of the first

<sup>1</sup> See p. 77 [237].

<sup>2</sup> *Official Journal*, VIII, p. 1446.

<sup>3</sup> League of Nations, A. 108. 1927. IX. 11, p. 2.

step, the sooner the subsequent steps will be taken. The committee therefore feels that, with a view to reaching definite solutions as quickly as possible, the study of the questions of arbitration and security should be resumed on systematic lines.

The committee also, by Council resolution of September 27,<sup>1</sup> is to consider the plan for insuring financial aid to any state victim of aggression.

Another duty indicated for the committee was included in the Assembly resolution listing methods of work. This suggested that the Council might invite "the several Governments to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each state indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations."

In defining the meaning of this text the Third Committee of the Assembly said: <sup>2</sup>

There is no question of asking the Council to send to states Members of the League a questionnaire regarding their intention in all imaginable cases. The idea which the commission wished to express is that the committee . . . should be instructed to study the form in which the Council should ask the different states to inform it what measures they would be prepared to take to support its recommendations or decisions in certain cases which the said states might indicate. It is understood that states will have all possible liberty to reply in such manner as they think best to these inquiries by the Council.

#### AGGRESSION AND PACIFIC SETTLEMENT

On September 10, after some private discussion with other colleagues, François Sokal of Poland addressed the Assembly and presented a resolution declaring wars of aggression prohibited.

<sup>1</sup> *Official Journal*, VIII, p. 1446.

<sup>2</sup> A. 108. 1927. IX. 11, p. 3.



M. Sokal in introducing the Polish resolution said that "after many endeavors and disappointments, it had been recognized that arbitration in itself did not provide an adequate guaranty of security, and that sanctions could only serve the purpose of completing the establishment of security. Disarmament, according to some, could only be introduced in ratio to the degree of security already obtained. According to others, it was necessary to reverse the natural order of things and bring security out of disarmament. It was under the influence of this last thesis that humanity placed its hopes in the work of the Preparatory Commission for the Disarmament Conference. Was it evidence of wisdom that universal attention should be concentrated on this single solution?

The Seventh Assembly, foreseeing what would happen, had drawn attention, in its resolution of September 25, 1926, to the measures which were liable to create an atmosphere of essential confidence, provided these measures were suitably employed. In his opinion, it was advisable to complete the invitation to conclude treaties of arbitration by a general declaration of confidence in the maintenance of peace of which these treaties were the instrument. This could be done by a universal condemnation of all wars of aggression and by a solemn renunciation of the right ever to resort to this means of settling a dispute, whatever it might be. It would, of course, be objected that this was no more than a repetition of the Covenant, but the Covenant did not exclude war. The intention of the Polish delegation was to ask all the nations to renounce for ever the right to make use of a privilege of which the Covenant had not deprived them, and which was in truth an odious privilege. It must, of course, be understood that the object of this proposal was not to modify in any way the provisions of the Covenant. The only object was to eliminate wars of aggression and not in any way to diminish the just right of legitimate defense, individual or collective sanctions, or obligations resulting from treaties of guaranty and mutual assistance.

Would such an affirmation be merely a repetition? He believed that, at a time when men's minds were filled with doubt, it was particularly useful to repeat a profession of faith, because repetition was calculated to strengthen that faith and not to shake its foundations. It was precisely because there were at present certain difficulties that it was necessary to call forth a great and universal demonstration of confidence which might create a state of mind in which future work in the field of security and peace, and therefore of disarmament, might "be successfully pursued, freed from the noxious influence of doubt, suspicion and mutual recrimination."

The Polish resolution was referred to the Third Committee, where it called forth no objection. It was reported to the Assembly which on September 24 unanimously adopted it in its original form as follows: <sup>1</sup>

The Assembly,

Recognizing the solidarity which unites the community of nations;

Being inspired by a firm desire for the maintenance of general peace;

Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;

Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament;

Declares:

(1) That all wars of aggression are, and shall always be, prohibited.

(2) That every pacific means must be employed to settle disputes, of every description, which may arise between states;

The Assembly declares that the states Members of the League are under an obligation to conform to these principles.

### COMPULSORY ARBITRATION

A proposal submitted to the Assembly by the Norwegian delegation aimed at an optional convention for the compulsory settlement of disputes. On this subject the Third Committee consulted the First Committee, and adopted a unanimous resolution recommending that the question of

<sup>1</sup> A. 119. 1927. IX. 14.

a general convention for compulsory arbitration should be studied by the Committee on Arbitration and Security. The Third Committee included a report from the First Committee and indicated the points for study in its own report.

These, as included in the report adopted by the Assembly on September 24, were as follows:

The committee begs to indicate the following points for inquiry:<sup>1</sup>

(a) Means should be sought for encouraging and promoting the acceptance of the optional clause of Art. 36 of the Statute of the Permanent Court of International Justice and the conclusion of special treaties for judicial settlement, arbitration and conciliation.

(b) In any investigation into the methods of pacific settlement of disputes between states, special attention should be paid to the procedure of conciliation, which is of the utmost importance.

(c) Very special attention should also be given to the question of the relations between the mediatory action of the Council and the Assembly and procedures of arbitration and conciliation.

(d) In studying a general convention for compulsory arbitration, inquiry should be made as to how the convention could be given sufficient flexibility to permit the contracting states to adjust the obligations assumed to their particular circumstances.

## 5. Execution of the Covenant

### OPERATION OF ART. 11

The French proposals brought before the Preparatory Commission included the suggestion that investigation be made of methods or regulations which would "enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible."<sup>2</sup> Under this head a special committee of the Committee of the Council met in London from February 15-17 to study the practical possibility of measures for the prevention of war being taken by the Council under Art. 11 of the Covenant. It drew up a report which was approved by the Committee of the Council, March 14-15,

<sup>1</sup> A. 108. 1927. IX. 11, p. 2.

<sup>2</sup> Point 1 (b) of proposals under Question V.

and which came before the Council on June 15. At that time the Council wished to give Member states opportunity to study the proposals.

The Eighth Assembly in Resolution II <sup>1</sup> on Arbitration, Security and Disarmament approved the report, so that the Council on December 6 was able to make the report effective by reenacting that resolution: <sup>2</sup>

The Council,

Having taken note of the report approved by the Committee of the Council on March 15, 1927, with regard to the methods and regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible:

Approves this report and adopts it as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarizes the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organization of its activities in case of emergency.

The report thus adopted deals with procedure under Art. 11 of the Covenant, which is the provision by virtue of which most disputes come before the Council.

The specific methods are laid down in the adopted report.<sup>3</sup>

The Committee of the Council made some observations on the general measures to be taken to facilitate Council meetings. With regard to specific matters the approved conclusions were: <sup>4</sup>

The committee strongly supports the Transit Committee's proposal that each state should appoint a central service with the necessary powers to facilitate the urgent convening of the Council of the League, the urgent transmission of messages sent in the name of the Council and the rapid transport of such missions as the Council might decide to dispatch. It is of opinion, however, that this precaution should

<sup>1</sup> *Official Journal*, Spec. Sup. No. 53, p. 23.

<sup>2</sup> *Minutes of the 48th Session, Official Journal*, IX, p. 125.

<sup>3</sup> *Official Journal*, VIII, p. 221.

<sup>4</sup> Same, p. 222.



not be confined to states which happen to be members of the Council. . . .

This central service, which should be on duty continuously (day and night, and on holidays) would have to be given power to proceed immediately to take the measures necessary for the organization of special trains, requisitioning of aircraft, etc., and to arrange with other services possessing similar powers in states whose assistance might be required as described above. . . .

The committee warmly approves the statement of the Secretary-General who regards it as his duty to summon members of the Council urgently and without delay in case of serious emergency as laid down in par. 1 of Art. 11. . . .

The committee recommends that the Secretariat should act upon the Transit Committee's proposal that a schedule be drawn up of the principal telegraphic, telephonic and radiotelegraphic routes available, in order that the Secretariat may obtain for its own use and, if necessary, for the use of those concerned information concerning communications between the different capitals.

#### INTERPRETATION OF ART. 16

By one of the resolutions adopted on September 26 the Assembly suggests to the Council that it would be advisable to submit the plan referred to,<sup>1</sup> and the documents relating to Art. 16 prepared by the Legal Section of the Secretariat, the observations submitted by the several Governments and the minutes of the discussions in the Third Committee on this subject, to the committee which it proposes to appoint in pursuance of its resolution relative to arbitration, security and disarmament.

During the fifth session of the Committee of the Council, it was suggested that all resolutions passed by different organizations of the League concerning Art. 16 should be collected and summarized in a single document for further study. The Council passed such a resolution on December 8, 1926, and also requested the Secretary-General "(a) to collect systematically precise information regarding the economic and financial relations of the various states with a view to a possible application of Art. 16 of the Covenant . . . ; (c) to institute a study of the legal position

<sup>1</sup> Finnish Government's proposal for financial aid, see p. 95 [ 255 ].

which would be brought about by enforcing in time of peace the measures of economic pressure indicated in Art. 16, particularly by a maritime blockade; (d) to institute a study of the legislation calculated to make it easier for states to apply economic sanctions based on the experience of countries which have already done something in this direction."<sup>1</sup>

The collection of documents called for under (a) was published as an Assembly document.<sup>2</sup>

With respect to point (c) the Secretary-General under date of May 17, 1927, rendered a report to the Council, which was ordered to be circulated to Members of the League for their observations.<sup>3</sup> The report examines the situation which would be created by a maritime blockade as a measure of economic pressure from the point of view of (a) the covenant-breaking state itself, (b) Members of the League, (c) third states.

The question was examined from the point of view of applying economic sanctions without resort to war and without violating rights under international law. With respect to this attitude, the report states that "from the legal point of view, the existence of a state of war between two states depends upon their intention and not upon the nature of their acts. Accordingly, means of coercion, however drastic, which are not intended to create, and are not regarded by the state to which they are applied as creating a state of war, do not legally establish a relation of war between the states concerned. This would seem to be the case even if . . . third states find it necessary to guide their own conduct by the view that a state of war exists."

(a) Attention is called to the fact that a non-Member of the League which has accepted Art. 17, pars. 1 or 3, for the purposes of a particular dispute, may find itself in the condition of a covenant-breaking state. Covenant-

<sup>1</sup> *Official Journal*, VIII, p. 138.

<sup>2</sup> A. 14. 1927. V. 14.

<sup>3</sup> *Official Journal*, VIII, p. 834.

abiding states "are bound by their obligations to the state attacked and to one another to regard the aggressor state as having committed an act of war against themselves and as liable to the sanctions." It would seem "that no illegality is committed against the aggressor state by agreeing to support the state attacked by measures falling short of resort to war or by actually employing such measures. It may be added that the provisions of the Covenant can claim a higher justification than any ordinary treaty of defensive alliance, since they constitute obligations mutually assumed toward one another by the great majority of states for the sole purpose of enforcing the pacific settlement of international disputes."

It would then follow "that the aggressor state has no legal right to demand that the Members of the League shall formally resort to war with it before taking any particular kind of economic measure contemplated by Art. 16." On the other hand, it may be argued that an aggressor Member state "is under a legal obligation to regard any application of the sanctions of Art. 16, however severe, which is made without resort to war as consistent with the maintenance of a state of peace between it and the Members of the League applying the sanctions." These dicta are further analyzed to show the importance of considerations of policy in distinction to those of law.

(b) It is pointed out that the position as regards Members of the League themselves is necessarily based upon the fact that each Member state has the faculty of deciding for itself when Art. 16 becomes applicable. It consequently follows that covenant-abiding Members might be divided into two classes, those who consider the *casus fœderis* as having arisen and those which do not consider it to have arisen. The Secretary-General regards the obligation of decision under Art. 16 as several rather than joint. The reasoning, therefore, is that each Member is bound "to recognize the right of the other Members to hold for their part that there has been a breach of the Covenant, and to interrupt intercourse between the peccant state and



the nationals and territory of all other states, including those of the Member itself."

(c) The "third states" discussed are those which are not parties to the resort to war which provokes the sanctions and are not Members of the League. "It is with regard to such states that the most delicate legal questions will arise in connection with the application of economic sanctions, particularly if they are applied without declaration of a state of war against the aggressor state." With respect to third states, it is pointed out that they are under no treaty obligation to acquiesce in the measures contemplated by Art. 16, and that the Covenant does not impose on "Members of the League an obligation to violate the rights of a third state." Moreover, "a treaty must be assumed to be intended to be interpreted subject to the rights of third states under international law." It is consequently held to be "prudent to conclude that, in applying the economic sanctions of Art. 16 without resort to war, the Members of the League must fully respect the rights of third states."

The hope is expressed that third states would adopt a benevolent attitude toward action against an aggressor which has committed an illegal act by violating its treaty obligation under the Covenant. Respecting the relative position of Members and non-Members, the report says:

On the other hand, it must not be ignored that, in acting under Art. 16, the Members of the League are not asserting or defending their own selfish interests but, at the cost of loss and inconvenience to themselves, are carrying out a treaty obligation designed to maintain the peace of the world by enforcing pacific settlement of international disputes; and that the success of the League in realizing this policy of pacific settlement, and its success in enforcing it against states which refuse compliance, are matters in which the peaceful third state may itself be considered to have an interest. It is, therefore, unnecessary to assume that, when the occasion arises, third states will necessarily take the same view of their rights under international law as they might be expected to take in the case of a war, or of a resort to measures of economic pressure without declaration of war, by a state or groups of states pursuing their individual interests against another state or states. While it is not safe to rely in theory, and



in advance of the event, upon this possibility, there must be held to be a possibility that third states, even if their active cooperation is not secured, may recognize such adaptation of the traditional rules of international law as experience may show to be necessary to render the application of Art. 16 effective.

The report concludes with certain detailed considerations of the effect of measures which might be taken by a Member of the League within its own territory, and in regard to its own nationals, and also of measures applicable outside its territorial jurisdiction.

#### FINANCIAL ASSISTANCE

The Finnish delegation to the Preparatory Commission at its first session submitted a proposal <sup>1</sup> that "the Council should undertake the examination of special arrangements whereby a reduction of armaments agreed to by states unfavorably placed . . . might be compensated in order to meet their requirements for security." On September 4, 1926, the Council referred the proposal to the Committee of the Council, which recommended its reference to the Preparatory Commission.<sup>2</sup> This was done, but the Secretary-General, "having regard to the financial assistance provided for in Art. 16 of the Covenant," was also asked to have the Financial Committee consider it.<sup>3</sup>

**Suggested Mechanism of Guaranty.** The Financial Committee examined the question at its sessions in March and June, 1927, and the Council on June 17 decided to send the report on the subject to states Members of the League.

In working out a plan the Financial Committee left out of account whether such a scheme should be adopted and the conditions under which it might be accepted. In general the committee said: <sup>4</sup>

<sup>1</sup> *Documents of the Preparatory Commission*. . . . Series II, p. 127, 128 (C. 425. M. 158. 1926. IX. 7).

<sup>2</sup> *Official Journal*, VIII, p. 224.

<sup>3</sup> Same, p. 137.

<sup>4</sup> Same, p. 922-924.

Several schemes have been submitted to the committee and have assisted it in seeing the problem from every point of view. Some of these, however, are based on principles which the committee considers would in practice present great difficulty.

For instance, the committee is of opinion that all schemes which aim at the accumulation of funds in time of peace should be excluded, owing not only to the reluctance of governments to lock up funds, but also to the practical difficulty of deciding how and where the funds should be invested and how such investments could be rapidly realized in times of stress. It would be equally impracticable for the League itself to raise loans. Nor is it likely that a system of direct subsidies would be workable.

The only scheme which seems to the Financial Committee to afford a practical basis would be the system — which incidentally has the advantage of experience and proved success — of assisting a country victim of aggression which might otherwise find difficulty in borrowing, by the association in its financial operations of Members of the League.

**Approval by Assembly.** The Assembly's Third Committee discussed favorably on September 22 a draft resolution approving the work already done. The committee's debate<sup>1</sup> was extended, bringing national points of view definitely to light. The Assembly passed the following resolution unanimously on September 26:

The Assembly,

Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for insuring financial aid to any state victim of aggression;

Being convinced of the need for a system of financial aid for contributing to the organization of security, which is an indispensable preliminary to general disarmament:

Requests the Council to continue its examination of the plan, which the committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special conference to be convened for the purpose.

#### COMMUNICATION WITH GENEVA

The French proposal made to the Preparatory Commission under Question V (b) in 1926 included facilitation of the meeting of the Council in cases of emergency and of

<sup>1</sup> *Records of the Eighth Assembly. . . . Meetings of Committees. Minutes of the Third Committee*, p. 59 (*Official Journal*, Spec. Sup. No. 57); separately as C. P. D. 94, 1927. IX. 16.

the physical means — telegraphic, railroad, etc. — of insuring rapid communication with the Secretariat. The resolution was referred to the Committee of the Council, which reported on it after its fifth session, December 1-4, 1926. The questions relating to communications were the subject of a report by the Advisory Committee on Communications and Transit,<sup>1</sup> which was circulated to Member states for their remarks.<sup>2</sup> This committee at its August session rendered a second report,<sup>3</sup> which contained further suggestions and indicated supplementary measures for examination. The Council on September 8 laid the report before the Assembly, which on the recommendation of its Third Committee passed a resolution summarizing the situation.

The situation on each of the points mentioned at the close of 1927 was:

*Telephonic Communication.* Satisfactory between Geneva and Paris, Berlin, Prague, Brussels, The Hague, Copenhagen, Oslo, Stockholm; to be so immediately with London, Vienna and Budapest. Details of conditions elsewhere reported (*Official Journal*, VIII, p. 1283).

*Aircraft.* A special expert committee examined landing facilities at Geneva on July 23-25 and is continuing its work.

The International Commission for Air Navigation had assigned a special mark for identifying aircraft, if the League should ask for it. This consists of a horizontal black bar drawn across the nationality marks at one-third of their height and of their width. A wireless call consisting of the aircraft's nationality and registration marks separated by a special symbol was assigned. The commission is studying the position of aircraft used by the League and not registered by any state (*Official Journal*, VIII, p. 1282).

*Wireless Station.* A group of experts were consulted on the subject of establishing a wireless station for the use of the League and they made a preliminary survey of a

<sup>1</sup> *Official Journal*, VIII, p. 226.

<sup>2</sup> Same, p. 1285.

<sup>3</sup> Same, p. 1280.

technical character before the Assembly session (*Official Journal*, VIII, p. 1284). They were later constituted into a committee and met from January 26–28, 1928, at Geneva when a detailed description of the technical features of the station were drawn up.

## 6. Private Manufacture of Arms

A committee of inquiry in 1926 presented to the Committee of the Council a preliminary draft convention on the supervision of the private manufacture of arms and munitions of war and concerning the publicity of such manufacture.<sup>1</sup> On December 9, 1926, the Council referred this draft to a special commission composed of representatives of Members of the Council, of the United States and of the Soviet Union.<sup>2</sup> The United States accepted the invitation.

The Special Commission for the Preparation of a Draft Convention on the Private Manufacture of Arms and Ammunition and of Implements of War met at Geneva March 14–April 25,<sup>3</sup> under the chairmanship of Count von Bernstorff (Germany). The commission after an exchange of views set up a subcommission with instructions to prepare, as a basis of discussion for the commission, a new text taking into consideration amendments proposed by the American, Belgian, British, Italian, Japanese and Netherlands delegations. It was, however, unable to submit a single text owing to fundamental differences of opinion in regard to the very principle of supervision, certain delegations aiming at the supervision of the private manufacture alone, others contending that such supervision should be reinforced by publicity on state manufacture as well.

Consequently, the commission decided to forward to the Council a preliminary draft of the alternate texts compiled by its subcommission, and to draw attention to the close

<sup>1</sup> A. 47. 1926. IX. 8.

<sup>2</sup> *Official Journal*, VIII, p. 148.

<sup>3</sup> Same, p. 846.



connection between this question and that of disarmament in general. It further recommended that the Council should pursue its study of the question of the private manufacture of arms on parallel lines to the work of the Preparatory Commission for the Disarmament Conference.

At the outset the United States delegation stated that, as the convention would be supplementary to the one on supervision of the international trade in arms,<sup>1</sup> there was no reason to distinguish between arms exported and those manufactured. "The whole field of production of arms, both governmental and private, must be submitted to the same degree of pitiless publicity if the avowed purposes of this convention are to be attained."

The Council approved the report on June 15 and provided for the continuance of the commission.<sup>2</sup> In the course of the discussion, the rapporteur remarked that the commission had developed two points of view. One view favored strictly confining the problem of private manufacture within the limits laid down by the Covenant, the other favored the inclusion of the question of state manufacture in the general problem of arms manufacture, in the same way as, in the convention for the supervision of the trade in arms, the question of state trade had been settled at the same time as that of the private trade. The rapporteur pointed out that the United States made its participation in the discussions conditional upon the inclusion of both questions.

The Eighth Assembly urged the convening of a conference as speedily as possible because of "the importance it attaches to the establishment of a convention which would enable nonproducing and producing countries to be placed on an equal footing," and "that the establishment of a convention for the supervision of private manufacture and the publicity regarding manufacture is of the highest importance for the putting into force of the convention on the international trade."

<sup>1</sup> A. 13. 1925. IX, p. 29, for *Convention for the Control of Trade* . . . September 10, 1919, see *Treaty Series*, VII, p. 332.

<sup>2</sup> *Official Journal*, VIII, p. 767.

## V. SETTLEMENT OF DISPUTES

### German Minorities in Upper Silesia

The Polish Government on February 11, 1927, forwarded to Geneva a petition from the Deutscher Volksbund of Polish Silesia concerning the exclusion of children from the German minority schools in the territory. The appeal was made to the Office of Minorities at Kattowitz and claimed redress under Arts. 149-157 of the Geneva convention of May 15, 1922, establishing the present régime in Upper Silesia.

The facts in brief were:

The entries for the German minority schools for the school year 1926-27 numbered roughly 8,650. The Polish school authorities, considering that there had been an abuse of the right of application — due either to ignorance or to pressure — ordered an administrative inquiry. The persons responsible for the education of the children had to state the mother tongue of the children and again to declare whether they desired to enter their children for the German minority school or the Polish majority school. As a result of the inquiry, the Polish authorities canceled for various reasons, 7,114 entries for the German minority schools. In most cases this measure was based either on the conclusion that the children entered did not belong to the German minority (5,205 pupils), or on the fact that the persons responsible for their education had not complied with the summons to attend the inquiry.

The Deutscher Volksbund protested against these measures and demanded that the children in question should be immediately admitted to the German minority schools. This petition was referred to the president of the Upper Silesian Mixed Commission, who on December 15, 1926,<sup>1</sup> gave an opinion that the institution of a general

<sup>1</sup> *Official Journal*, VIII, p. 491.

hearing of persons who had entered children for the German schools, in order to verify their statements, was not justified under the Germano-Polish convention, and that certain entries had been wrongfully canceled. He further stated that the question whether a child should attend a minority school depended solely upon the wishes of the person legally responsible for the child's education. From the educational standpoint he considered it a mistake to send children who did not understand German to a German school. This problem could only be solved by an agreement, outside the scope of the convention, between the competent authorities and the Deutscher Volksbund.

The prefect of Silesia saw no possibility of complying with the opinion in full, but held it his duty to accede to the legitimate claims of the German minority in Polish Upper Silesia in respect of educational facilities. He was prepared to discuss matters with the interested parties, with a view to affording them satisfaction within the limits compatible with the letter and the spirit of the Germano-Polish convention, and with his primary duty of safeguarding the supreme interests of the state and of the population as a whole.<sup>1</sup>

This statement did not satisfy the Deutscher Volksbund, whose appeal to the Council was accompanied by observations by the Polish Government.<sup>2</sup>

The Polish Government agreed that under the Germano-Polish convention the statements of the person legally responsible for the education of a child should not be disputed in respect of its language, but control of the truth of such statements was not contrary to the convention. To proceed without inquiry would result in "an abuse of right" detrimental to children placed in schools where teaching was in a language they did not know. The purpose of the inquiry was to obviate such an abuse, for the control of which Poland was ready to consider any other method. The minority schools were intended solely for the minority,

<sup>1</sup> *Official Journal*, VIII, p. 490.

<sup>2</sup> Same, p. 482.

the identification of which was the essential task of the inquiry which had been held. Poland wished for an agreement that would consider the needs of the minority in conformity with the provisions of the Geneva convention, and the necessity of getting rid of all abuses by application of the principle that the sole object was the protection of minorities.

**Council Action.** On March 8 the Council heard a preliminary statement by its rapporteur, F. J. Urrutia (Colombia), and requested him to study the question with the assistance of the Netherlands and Italian representatives.<sup>1</sup>

At a public meeting on March 12, M. Urrutia submitted, on behalf of the committee, a draft resolution which was adopted by the Council.<sup>2</sup>

The report contained an arrangement settling both the general question and certain specific cases concerning three minority schools.<sup>3</sup>

Under this arrangement the Council noted the Polish Government's statement that children had been admitted to the minority schools whose mother tongue, according to the declarations made by the persons legally responsible for their education, was German. It directed the Polish Government's attention to the great importance of not insisting upon the measures taken by its local authorities to exclude from the minority schools children whose parents did not comply with the invitation to appear at the inquiry. It was inexpedient to admit to minority schools children who spoke only Polish. The Council instituted a system of inquiry into concrete cases which appeared doubtful to the Polish local school authorities to ascertain whether or not the child speaks the "school" language. The inquiry will be under the supervision of the president of the Upper Silesian Mixed Commission, assisted by a Swiss expert in educational matters. The arrangement should be regarded

<sup>1</sup> *Official Journal*, VIII, p. 376.

<sup>2</sup> Same, p. 400.

<sup>3</sup> Same, p. 403, 592.



as an exceptional measure designed to meet a *de facto* situation not covered by the Germano-Polish convention, and should not be interpreted as in any way modifying the provisions of that convention. One paragraph read:

A similar system of control might also be applied in the case of any fresh demands for the admission of children that may subsequently be received from persons legally responsible for their education when such cases appear doubtful to the Polish authorities.

On October 18, the Polish Government asked the Council rapporteur to decide whether the system was to apply to 735 children of the school year 1927-28, who, in the opinion of the local authorities, did not understand German. After consulting the Italian and Netherlands representatives, with whose assistance he had drawn up the March arrangement, the rapporteur, M. Urrutia informed the Polish Government that he considered the arrangement might apply to the 735 children mentioned, but was not intended to be permanent. The German Government then asked the Council to make clear that its March resolution was not applicable to future demands for admission to the minority schools. The German representative had accepted this arrangement as an exceptional measure applicable only to an exceptional situation, and on the understanding that, if the question were again raised, he would have to press for a final decision on the legal point involved.

On December 8, the German representative submitted to the Council that the time had come to clear up finally the legal question, and added that his Government intended to apply, under the Upper Silesian convention, to the Permanent Court of International Justice for an interpretation of the provisions of that convention in this respect. The Council took note of this statement.

It was agreed <sup>1</sup> that the examinations for 1927-28 should continue, and that the ruling of the Court should decide

<sup>1</sup> *Official Journal*, IX, p. 156.

whether children, transferred to Polish schools as a result of the examination, should ultimately be admitted to the minority schools.

### Hungaro-Rumanian Mixed Arbitral Tribunal

The Rumanian Government, having decided on February 24 that its arbitrator would no longer sit on the Mixed Rumanian and Hungarian Arbitral Tribunal (established by Art. 239 of the treaty of Trianon) in agrarian cases brought forward by Hungarian subjects, submitted to the Council under Art. 11, par. 2, of the Covenant, a request to be allowed to acquaint the Council with the reasons on which its attitude was based. The Hungarian Government asked the Council to appoint, in accordance with the treaty, two deputy members in order that the tribunal might be able to continue its work.

The question thus brought before the Council was another phase of the difficulties concerning Hungarian optants in Transylvania and the application of the Rumanian agrarian law to them.<sup>1</sup> The interests of the optants had been the subject of questions submitted to the Conference of Ambassadors in 1922 and to the Council of the League in 1923. A resolution of the Council of July 5, 1923,<sup>1</sup> settled that phase of the dispute. A number of optants brought their cases before the Mixed Tribunal. In 1925 Rumania filed an objection to its jurisdiction but on January 10, 1927,<sup>2</sup> it declared itself competent in virtue of Art. 250, par. 3, of the treaty of Trianon. On February 24, Rumania informed the tribunal that it refrained from making a reply, withdrew its arbitrator and requested the Council to permit it to explain this decision.

On March 8<sup>3</sup> the Council<sup>2</sup> heard detailed statements on the subject by the Rumanian and Hungarian representatives. The Council requested Sir Austen Chamberlain

<sup>1</sup> *Official Journal*, IV, p. 907; *Yearbook*, 1925, this Series, Vol. VIII, p. 442.

<sup>2</sup> Emeric Kulin père c. État roumain and dissenting opinion, *Recueil des décisions des Tribunaux arbitraux mixtes*, VII, p. 138 and 151; see also the decision at p. 128.

<sup>3</sup> *Official Journal*, VIII, p. 350-372.

(British Empire), assisted by Viscount Ishii (Japan) and M. Enrique Villegas (Chile) to make a thorough study of the matter and report at its next session. On June 16 Sir Austen Chamberlain informed the Council<sup>1</sup> that the committee had had two conversations with the Hungarian and Rumanian representatives, and had requested them to ask their Governments to make a further examination of the question.

The Council devoted four public meetings<sup>2</sup> on September 17 and 19 to discussion of the report which the British representative, Sir Austen Chamberlain, submitted on behalf of the Committee of Three. He traced the successive phases of the affair as brought before the Conference of Ambassadors, the Council and the Mixed Rumanian and Hungarian Arbitral Tribunal up to the moment when the Committee of Three was asked to examine it. The committee conferred with the Rumanian and Hungarian representatives in May, June and September, in London and Geneva. As a result the problem before the committee and the Council was defined as that of finding a solution which would allay discontent with respect to the matter as a whole.

The parties had not accepted formulas for settlement proposed by the committee in June. In September the Hungarian representative renewed the offer made in March that the question of jurisdiction of the Mixed Arbitral Tribunal should be referred to the Permanent Court of International Justice, but declared that it was unable to make new concessions. This offer was not accepted by the Rumanian representative who in his turn submitted certain formulas based on the proposals made by the Committee of Three with a view to compromise. These formulas were rejected by the Hungarian representative.

The Committee of Three then submitted to eminent legal authorities the question whether the Mixed Arbitral

<sup>1</sup> *Official Journal*, VIII, p. 790.

<sup>2</sup> Same, p. 1379-1414.

Tribunal was "entitled to entertain claims arising out of the application of the Rumanian agrarian law to Hungarian optants and nationals," and, if so, "to what extent and in what circumstances is it entitled to do so." The conclusion reached was that the jurisdiction of the Mixed Arbitral Tribunal extended to cases in which "the property of a Hungarian national suffered retention or liquidation or any other measure of disposal under the terms of Arts. 232 and 250 as a result of the application to the said property of the Rumanian agrarian law and if a claim were submitted with a view to obtaining restitution." The committee continued:

Since these considerations show that the claim of a Hungarian national for restitution of property in accordance with Art. 250 might come within the jurisdiction of the Mixed Arbitral Tribunal even if the claim arises out of the application of the Rumanian Agrarian Law, we shall proceed to the definition of the three following principles which the acceptance of the treaty of Trianon has made obligatory for Rumania and Hungary.

1. The provisions of the peace settlement effected after the war of 1914-18 do not exclude the application to Hungarian nationals (including those who have opted for Hungarian nationality) of a general scheme of agrarian reform.

2. There must be no inequality between Rumanians and Hungarians, either in the terms of the agrarian law or in the way in which it is enforced.

3. The words "retention and liquidation" mentioned in Art. 250, which relates only to the territories ceded by Hungary, apply solely to the measures taken against the property of a Hungarian in the said territories and in so far as such owner is a Hungarian national.

The Committee of Three proposed that the Council should request the two parties to conform to these principles, and should request Rumania to reinstate its judge on the Mixed Arbitral Tribunal. The report, moreover, contemplated the consequences entailed for the parties, in the event of a refusal by one or both of them to accept these proposals.

At the four public meetings of the Council, the Hungarian and Rumanian representatives made various statements of their point of view.



Count Apponyi declared that he could not accept the second point, and that he did not recognize the legal value of the principles set forth in the report. In his opinion, the Council could neither impose them upon the parties, nor attach sanctions to their nonacceptance. He renewed his proposal that the Permanent Court of International Justice should be asked for an advisory opinion on the question whether the Mixed Arbitral Tribunal had exceeded its powers. He suggested that the opinion of the Court should also be sought as to whether the three principles had, in whole or in part, been rendered obligatory for Rumania and Hungary by the acceptance of the treaty of Trianon.

The Rumanian representative said that the acceptance of conclusions of the report would make possible arbitration between the parties; that he approved the principles and accepted them, provided that the Hungarian representative also did so.

The members of the Council in general felt that the proposals of the Committee of Three constituted a basis for a friendly settlement between the parties.

The Council, with the exception of the parties, decided,<sup>1</sup> on the proposal of its president, to adopt the report of the Committee of Three up to, and including the recommendation concerning the invitation to the parties to conform to the principles enumerated in the report, but not including a recommendation to be addressed to the Rumanian Government to reinstate its judge and the consequences to be attached to a refusal by the parties to accept the report. The Council invited the representatives of the parties to bring the recommendations of the committee and the debates of the Council to the knowledge of their Governments.

In reply to this invitation, the Hungarian Government informed the Secretary-General on November 21 that, after a further study of the text, it was still unable to accept. To render agreement possible on another basis, it had

<sup>1</sup> *Official Journal*, VIII, p. 1411, 1413.

recently submitted to the Rumanian Government a proposal for a practical solution of the affair. On November 23 the Rumanian Government informed the Secretary-General that it accepted the report as a whole, with its conclusions.

This question figured on the Council agenda for December. As the Rumanian foreign minister, Nicolas Titulesco, was ill, the rapporteur, Sir Austen Chamberlain, wired in his own name advising him not to undertake the journey to Geneva. On December 5,<sup>1</sup> after an exchange of views, the Council addressed a telegram to M. Titulesco, to the same effect, reserving all rights.

The question will come up again before the Council at its 49th session in March, 1928.

### Memel Elections

On May 24 the German Government, in virtue of Art. 17 of the Memel convention, drew the attention of the Council to a petition signed by leading inhabitants of Memel, alleging infringements by Lithuania of the autonomy of the Memel territory.<sup>2</sup> The German Government requested that this matter be included in the agenda of the Council. The Lithuanian Government asked that the question be adjourned.

Negotiations took place between the representatives of the two Governments concerned, M. Voldemaras and Dr. Gustav Stresemann and the results were communicated to the Council on June 15.<sup>3</sup>

The Lithuanian prime minister, Professor Voldemaras, recalled that the Council in September, 1926, had revised the procedure to be followed in bringing to its notice alleged infractions of the statute. This decision imposed on the Lithuanian Government the strict duty not to fail in the fulfilment of any of its obligations. The Lithuanian Government had no intention to leave the Territory of

<sup>1</sup> *Official Journal*, IX, p. 110.

<sup>2</sup> Art. 17 reads: "The high contracting parties declare that any Member of the Council of the League of Nations shall be entitled to draw the attention of the Council to any infraction of the present convention."

<sup>3</sup> *Official Journal*, VIII, p. 772.

Memel without popular representation. It was fully conscious of its duty and of its responsibilities. The Government would, in consequence, take the appropriate measures for holding elections to the Diet at the latest by September, 1927.

Further, the main difficulty which had delayed the holding of elections had been overcome. Disputes as to who was included in the electorate had now been settled. The electorate, as far as the forthcoming elections were concerned, would be composed of Lithuanian nationals, who, in conformity with the provisions of Art. 7 and the following articles of the Civil Code (BGB), had established themselves in the Territory of Memel. It was obvious that the electorate might be modified for future elections by a law for which provision had been made in Art. 8 of the Memel Statute.<sup>1</sup>

So far as the autonomy of the Memel Territory as defined in its charter was concerned, the Lithuanian Government, was firmly resolved to do all in its power to make it operative and allow it to develop on democratic lines as regards the electorate, the position of the Chamber and the formation of the Directory.

The German representative, in consideration of the statement M. Voldemaras, did not insist on further discussion of the question at the June session. He hoped that the measures which the Lithuanian Government had announced would bring about as soon as possible a situation in conformity with the Memel Statute.

Sir Austen Chamberlain, on behalf of the Council, noted the declaration of the Lithuanian representative, which had spared the Council the necessity of going into this question. The question was withdrawn from the agenda.

### The Cruiser Salmis

On June 24, the Greek Government,<sup>2</sup> in a letter addressed to the Secretary-General, submitted to the Council a

<sup>1</sup> League of Nations, *Treaty Series*, XXIX, p. 86.

<sup>2</sup> *Official Journal*, VIII, p. 1351.

request for an official interpretation of Arts. 190 and 192 of the treaty of Versailles, by any means at its disposal, such as a request to the Permanent Court of International Justice for an advisory opinion. These articles deal with the prohibition of construction and export by Germany of warships and naval material.

The case concerns a contract concluded August 12, 1912, and an additional agreement signed <sup>1</sup> December 23, 1912, by the Greek Government with the Vulkan Works for the building of a cruiser bearing the name of *Salamis*. The Greek Government's request referred to a matter pending before the Greco-German Mixed Arbitral Tribunal, the Greek Government having applied to this tribunal in order to obtain a decision canceling the contracts it had signed with the Vulkan Works of Stettin.

In accordance with the Greek request, the question was included in the agenda of the 40th session of the Council, to which the German Government submitted a memorandum stating that it was unable to find any reason why the Council should take up this case. The Council heard the representatives of both parties on September 15.<sup>2</sup>

The Greek representative, M. Politis, said that there was a difference of opinion between his Government and the German Government on the meaning of Arts. 190 and 192 of the treaty of Versailles and regarding the competent authority for the interpretation of the treaty on that point. His Government considered that this difference constituted a preliminary question connected with the private case laid before the Mixed Arbitral Tribunal, and that this preliminary question should be settled by the League. M. Politis gave a historical summary of the negotiations with the Vulkan Works; proceedings before the Mixed Arbitral Tribunal and the application to the Conference of Ambassadors, concluding that the *Salamis* affair was essentially a public and not a private question. The Council, which had inherited the powers of investigation and control

<sup>1</sup> Texts of contracts, *Official Journal*, VIII, p. 1353-64.

<sup>2</sup> Same, p. 1338-76.



formerly exercised by the Conference of Ambassadors, should seek the opinion of the Permanent Court of International Justice on the meaning of Arts. 190 and 192 of the treaty of Versailles.

The German representative, Dr. von Schubert, stated that in his Government's opinion, there was no reason why the Council should be considered competent in this matter. The case was a question of private law between the Greek Government and a German limited company with regard to the execution of a private contract, and one which the Mixed Arbitral Tribunal alone had the right to decide.

The rapporteur, M. Urrutia (Colombia) observed that the question was difficult and demanded careful study. On his proposal the Council appointed the representatives of Italy and Japan to assist him in preparing his report. On September 28 he proposed <sup>1</sup> that the Permanent Court of International Justice should be requested to give an advisory opinion on the question whether the Council had competence to give effect to the Greek Government's request for an official interpretation of Arts. 190 and 192 of the treaty of Versailles. After a protracted exchange of views between the rapporteur and the German, Greek, Netherlands, Finnish, British, Italian, French and Japanese representatives, the Council decided to adjourn the question to December on account of its complexity and the important legal points involved.

In the interval the legal advisers of the Members of the Council studied the legal aspects of the matter.

The Council <sup>2</sup> on December 12 adopted the report of the legal advisers and instructed the Secretary-General to write to the president of the Greco-German Mixed Arbitral Tribunal in the sense indicated in paragraph 8 of the report:

In view of the importance of the principle that the Council should not take any action which could be misinterpreted as an encroachment on the sphere of an international tribunal which has been duly seized

<sup>1</sup> *Official Journal*, VIII, p. 1455.

<sup>2</sup> Same, IX, p. 178, 180.

of a question, it would be courteous for the Council to address a communication to the Mixed Arbitral Tribunal informing the tribunal that, if it should judge it to be desirable that an interpretation of Art. 192 (and 190, if that article is considered relevant) should be obtained by way of an advisory opinion by the Permanent Court of International Justice and should address a communication to the Council to that effect, the Council would defer to such a desire.

### Lithuanian-Polish Relations

On October 15, 1927, the Lithuanian Government appealed to the President of the Council under Art. 11 of the Covenant against expulsion by Polish authorities of certain individuals from the Vilna region. The Lithuanian letter stated that the Polish Government had intended by way of reprisals to close the Lithuanian schools in the Vilna district, and that indirect negotiations had been going on concerning the subject for some time. Early in October a Polish press campaign on the subject had broken out, and on October 14 twelve adults had been exiled to "independent Lithuania." The question came before the Council on December 7.

The tension between the parties in open press discussion rapidly developed into a fundamental debate on Lithuanian-Polish relations. Both these states resulted from the World War, and their affairs had been intermittently before the Council since September, 1920. At that time all their frontiers were not delimited, and Lithuania had not yet been admitted to the League. In the course of disputes over the frontier area, General Zeligowski of the Polish army, acting without orders and as a rebel, occupied the city of Vilna. For two years the Council struggled with the problem thus created without being able to give it final solution. The Vilna region remained in Polish territory, according to Warsaw; while the Lithuanian Government, having placed a provision in its constitution that the capital of the country was Vilna, declined to accept either the decisions of the Conference of Ambassadors or resolutions of the Council adverse to that contention.

By a Polish decree of March 24, 1922, the disputed territory was annexed to Poland.

In 1920 there had been hostilities between Lithuania and Poland, and a *modus vivendi* had been signed on October 7, 1920,<sup>1</sup> at Suvalki. Owing to the continued dispute<sup>2</sup> between the two countries respecting Vilna, they had not, in the interval, brought their relations closer to normal. Lithuania regarded itself as remaining in a state of war with Poland, and both states kept the frontier closed by troop patrols, between which clashes were frequent. This condition continuing for seven years had developed into a tension which was not lessened by the fact that dictator governments ruled in both capitals in October, 1927.

After the Lithuanian requests of October 15 and 24 to Geneva, the two Governments actively began laying their cases before the world. The Lithuanian appeals were automatically sent by the Secretary-General to all Members of the League. Poland sent a note to all Governments on its own account late in November, in which it declared that it had no aims "against the political independence and territorial integrity of the Lithuanian Republic, and its sole desire is to establish with the Lithuanian Government in the most pacific spirit normal relations of good neighborhood." As the Council session set for December 5 approached, both Governments issued daily statements to the press in which they argued their sides. The result was that it was much more than the technical complaint of Lithuania that was actually under discussion in Geneva.

Marshal Pilsudski, the actual head of the Polish Government, and Premier Voldemaras of Lithuania both went to Geneva. On Monday, December 5, there were extensive conversations by both the Lithuanian and Polish ministers of foreign affairs with Foreign Minister Briand, the representative of France on the Council, and Foreign Minister Stresemann, the German representative. On the evening

<sup>1</sup> *Treaty Series*, VIII, p. 181.

<sup>2</sup> See *Yearbook*, Vol. VIII, p. 428; *Seventh Yearbook*, Vol. X, p. 205.

of December 6, M. Briand convened a meeting of the representatives of France, Germany, Great Britain, Italy, and Japan privately in his hotel, where they compared notes of their conversations with the two contestants. During the morning, the Lithuanian and Polish foreign ministers again saw Messrs. Briand and Stresemann, who renewed their counsels of moderation.

The technical question before the Council was phrased in the Lithuanian request of October 15, which described and identified as reprisals the "persecutions" of racial Lithuanians in Vilna. Arguing that the actions complained of were reprisals, which are not recognized in constitutional or administrative law, the Lithuanian prime minister concluded that the districts in question were admitted by Poland to be subject to international law, and concluded further that this implied "that the Vilna and Grodno districts are provinces disputed by Lithuania and Poland, the fate of which will not be settled until the two states in question come to an international agreement on that matter."

"While appreciating this public confession by the Polish Government, the Lithuanian Government feels that it is its duty to protest with the utmost energy against the reprisals in question, the justification for which has no foundation whatever." Lithuania stated finally that it had first on incomplete information regarded the persecutions "merely as a violation of the minorities treaty of June 28, 1919. Since then, however, it has acquired the certainty that the Polish Government is putting into operation a far-reaching scheme directed against the very existence of an independent Lithuania. In bringing these facts to the knowledge of the Council of the League of Nations, the Lithuanian Government has the honor to request that, in virtue of Art. 11 of the Covenant, its complaint be included in the agenda of the next session of the Council in order that the legal position be restored and the responsibility of the Polish Government established."



After correspondence with the Secretariat, Lithuania added the specific question with regard to 11 Polish Nationals "expelled by the Polish Government into Lithuanian territory."

Prime Minister Voldemaras of Lithuania opened the case before the Council <sup>1</sup> on December 7.

For Poland M. Zaleski, the foreign minister, stated that the charges against his Government were (1) a violation of the minorities treaty <sup>2</sup> "by ordering the closing of a certain number of Lithuanian schools and the imprisonment of a certain number of Lithuanians;" (2) infringement of the "Concordat concluded with the Holy See by placing under arrest certain Lithuanian priests," and (3) that it had charged the Polish Government with having prepared "a far-reaching scheme directed against the very existence of an independent Lithuania."

The president of the Council, Cheng Loh, the representative of China, proposed M. Beelaerts Van Blokland, representative of the Netherlands, as the rapporteur. He accepted the commission, feeling that his own personal convenience tempted him to decline the difficult problem. Sir Austen Chamberlain, "who had acted as rapporteur in another difficult affair, offered M. Beelaerts Van Blokland his sympathy."

After the meeting, members of the Council consulted in the Secretary-General's office, and it was reported that the British representative conveyed to the Lithuanian premier the information that the Council was unanimous in desiring the cessation of a theoretical state of war. On the afternoon of Friday, December 9, diplomatic conversations took place among the representatives of the Council with a view to bringing about a solution.

The Council itself dealt with the matter at a session held Saturday, December 10, at 10.30 P.M. M. Beelaerts Van Blokland read his report, in which he very briefly reviewed the circumstances presented by the parties in the

<sup>1</sup> *Official Journal*, IX, p. 144.

<sup>2</sup> League of Nations, C. L. 110. Annex. 1927. IB. 2, p. 42.

course of their hearings. He found that to the Lithuanian premier "the expression 'a state of war' implied simply the nonexistence of normal relations between the two countries, as Lithuania's and Poland's political engagements entirely preclude all possibility of hostilities." He did not find that the actual conditions necessitated an inquiry by the League, and expressed the opinion that both parties would have everything to gain by entering into direct negotiations, for which the League and its technical organs would be at the disposal of the parties. The decision which he invited the Council to make "would in no way affect a settlement of the various questions on which the two countries have differences of opinion," including "the rights that the Lithuanian Government claims to have over the territory of Vilna." He submitted the following resolution, which was accepted both by M. Zaleski and M. Voldemaras, and unanimously adopted by the Council:<sup>1</sup>

The Council of the League of Nations:

Declares that a state of war between two Members of the League is incompatible with the spirit and the letter of the Covenant by which Lithuania and Poland are bound;

Takes note of the solemn declarations made by the Lithuanian representative that Lithuania does not consider herself in a state of war with Poland and that in consequence peace exists between their respective countries;

Takes note of the solemn declarations of the Polish representative that the Polish Republic fully recognizes and respects the political independence and territorial integrity of the Lithuanian Republic;

Recommends the two Governments to enter into direct negotiations as soon as possible in order to establish such relations between the two neighboring states as will insure "the good understanding between nations upon which peace depends";

Places at the disposal of the two parties the good offices of the League and of its technical organs should their assistance be desired in the negotiations which it recommends;

Decides that the Lithuanian Government's complaints regarding the treatment of persons of Lithuanian race or speech, referred to in its appeal, shall be examined by a committee consisting of the acting president of the Council and two other members of the Council

<sup>1</sup> *Official Journal*, IX, p. 177.

appointed by him. This committee will report to the Council in due course;

Decides that, in the event of a frontier incident or threat of an incident, the Secretary-General of the League of Nations may, at the request of one of the parties, consult the acting president of the Council and the rapporteur, who shall then advise any steps they consider necessary to bring about a better state of feeling. The Council notes that both parties have agreed to facilitate any inquiry by the League of Nations;

Notes with satisfaction the Polish representative's declaration to the effect that the Polish nationals referred to in the Lithuanian Government's appeal will be authorized to return to Poland without hindrance. In case of unforeseen difficulties, the rapporteur would place his good offices at the disposal of the parties with a view to removing those difficulties.

The Council declares that the present resolution in no way affects questions on which the two Governments have differences of opinion.

The direct negotiations agreed to were not easily effected. It was not until early January that the Lithuanian-Polish frontier was open for any traffic, and the Lithuanian Government both then and later was very insistent that Poland should make the first move on the question of Vilna. In interviews Premier Voldemaras was disposed to contest every point from every angle. Assuming that the Vilna question had been recognized as open by the Council of the League, he made it a condition of any negotiations that Vilna be omitted from the establishment of trade relations, postal communications, and other normal conditions. Early in January when asked whether he desired to establish diplomatic relations with Poland, the Lithuanian premier said that Lithuania would receive a Polish minister, but only in Vilna. Negotiations actually began at Königsberg in March, 1928.

## VI. PRESS AND INTELLECTUAL COOPERATION

### 1. Conference of Press Experts

On March 8 the Council decided to convene a conference of press experts to meet on August 24 at Geneva. Effect was thus given to the proposal submitted by the Chilean delegation to the Assembly of 1925. In carrying out that suggestion the Council, desiring not to interfere in the affairs of the press and to interest itself in them only if the press associations themselves considered its assistance valuable, decided to inquire of the associations concerned whether the convocation of a committee of experts was opportune. The press groups of some 30 countries replied to the Secretary-General's inquiry, several formulating concrete suggestions.

The Council examined these replies and summoned to Geneva, January 24–26, 1927, members of the International Association of Journalists Accredited to the League of Nations, to draw up a report embodying recommendations and suggestions concerning the exercise of their calling in foreign parts and the facilities they considered it necessary to obtain in order to carry out their task. This report was communicated to the foreign press associations for their observations. Paul Scott Mowrer was the American member of this committee.

The Conference of Press Experts met at Geneva from August 24–29 with Lord Burnham in the chair. The conference was attended by 63 experts, 20 assessors and 35 technical advisers, from 38 countries, members and non-Members of the League, representing not only the different continents, but also the various categories of press interests — newspaper proprietors, news agencies, press bureaus and journalists. Its debates resulted in the adoption of resolutions which cover a large part of the technical work of the press.<sup>1</sup>

<sup>1</sup> *Conference of Press Experts. . . . Final Resolutions . . .* (A. 43. 1927, 8).



The object and scope of the resolutions were defined in the declaration of the preamble:

[The conference] adopts the following program in order that journalists may have every facility in residing, traveling, securing news and improving their professional equipment, and that news itself may be free at the source, expedited in every possible way in its transmission, protected before and after publication against unfair appropriation, and given the widest possible dissemination, to the end that the work of the press may be made more effective in its great and responsible mission of accurately and conscientiously informing world public opinion and hence of contributing directly to the preservation of peace and the advancement of civilization.

On the whole the resolutions fell into categories. The first category still needed exhaustive technical study, and included press rates, code telegrams, improvements in communications, the conveyance of newspapers and identity cards for journalists. The Council requested the Secretary-General to ask the Organization for Communications and Transit to continue, with the help of press associations interested in these questions, the technical study of this first series.

**Reference to Governments.** As to the second series, which will depend on the action of Governments for realization, the Assembly in a resolution expressed confidence that "the Council will take the most suitable measures to enlist the sympathetic attention of Governments for the other resolutions adopted by the conference in order that effect may be given to them." The Council on December 7<sup>1</sup> passed a series of votes by which the Governments were asked what action could be taken on the resolution respecting the protection of news:

The Conference of Press Experts lays down as a fundamental principle that the publication of a piece of news is legitimate subject to the condition that the news in question has reached the person who publishes it by regular and unobjectionable means, and not by an act of unfair competition. No one may acquire the right of suppressing news of public interest.

<sup>1</sup> *Official Journal*, IX, p. 136.

*a. Unpublished News.* The conference is of opinion that full protection should be granted to unpublished news or news in course of transmission or publication in these countries in which such protection does not already exist.

It shall be illegal for any unauthorized person to receive for publication or to use in any way for the purpose of distribution through the press, through broadcasting, or in any similar manner information destined for publication by the press or through broadcasting.

There shall be no preferential right in official news issued by a Government or Government Department or by an official representing a Government or Government Department. All such news may be published without restriction in full or in part.

Newspapers, press agencies, press bureaus, and newspaper correspondents and representatives shall have free and equal opportunity of access to and transmission of such news.

*b. Published News.* In view of the widely differing conditions obtaining in various countries, the conference is of opinion that the question of the protection of published news, whether reproduced in the press or by broadcasting, is one for the decision of the respective Governments concerned, and recommends that any Governments to whom application in this respect is made by its country's press, should sympathetically consider the advisability of granting suitable protection. . . .

Governments were asked what action they intended to take on resolutions respecting professional facilities for journalists, including special resolutions on travel tours, schools for journalists, scholarships, double taxation of journalists living abroad, reductions of fares, equality of treatment for foreign journalists and facilities for inquiry afforded to foreign journalists. The preamble of this series states:

The conference does not ask for the granting or extension to journalists of any favor the acceptance of which would entail the risk of infringing the independence of the press or the free judgment of journalists.

On the other hand, it strongly urges that all possible facilities should in all circumstances be granted to journalists in pursuit of their calling so that they may fulfil their duties more thoroughly and rapidly both in acquiring and transmitting news.

The conference further desires that similar and appropriate facilities should be granted to the national and international organizations of the press in the discharge of their professional functions.

A resolution on repressive measures against journalists, adopted by the conference by 29 votes to 15 and 8 abstentions, was sent to Governments for their information. It reads:

The conference requests the League of Nations to make the most urgent representations to Governments in order that measures of expulsion or withdrawal of a permit to stay in a country on grounds concerned with the exercise by a journalist of his profession should never be taken without requesting the opinion of a committee of journalists, by which the journalists concerned could be heard.

The Council drew the special attention of Governments to the following passage in the resolution on censorship in peace time:

However, so long as, contrary to the principle of the liberty of the press, censorship still exists in any country, the conference asks for the following minimum guaranties:

1. That telegrams submitted to censorship should be examined by specialists and dispatched with the greatest promptitude possible.
2. That journalists should be informed of the instructions given to these specialists as to enable them to make their own dispositions.
3. That they should be informed of the passages suppressed in their dispatches as well as of exceptional delays in their transmission, and that they should be given the option of sending or withholding telegrams which have been either censored or delayed.
4. That the transmission charges paid in advance for telegrams which have been either censored or delayed should be reimbursed in proportion to the number of words suppressed.
5. That a complete equality of treatment should be granted to all journalists without exception.

Lastly, the Council itself took note of the resolutions dealing with courses for journalists at Geneva, the establishment in newspapers of a special heading on the League of Nations, regional press understandings, and the two following:

*Publication or Distribution of Tendencious News.* Fully cognizant of the fact that publication or distribution of obviously inaccurate, highly exaggerated and deliberately distorted news or articles is calculated to cause among nations undesirable misunderstandings as well as suspicions detrimental to international peace;

Desirous of promoting the growth of mutual understanding among peoples, necessary for the promotion of world peace;

Participants in this conference express the desire that newspapers and news agencies in the world should deem it their duty to take stringent measures to avoid the publication or distribution of such news or articles, and also should consider active international cooperation for the attainment of this purpose, which is in conformity with the spirit of the League of Nations.

*Moral Disarmament.* The conference appeals to the press of the world to contribute by every means at its disposal to the consolidation of peace, to combating hatred between nationalities and between classes, as the greatest danger to peace, and to preparing the way to moral disarmament.

## 2. Organization on Intellectual Cooperation

[For previous work see *Yearbook*, 1925, p. 536; *Sixth Yearbook*, p. 295; *Seventh Yearbook*, p. 323.]

The ninth session of the Committee on Intellectual Cooperation was held at Geneva July 22–26, being preceded by meetings of various subcommittees, which began on July 4. The committee also sat as Governing Body of the International Institute of Intellectual Cooperation, examining the work and financial administration of the Institute during the past year and its program for the coming year. It reelected as chairman Professor H. A. Lorentz (Dutch), who has since died, and as vice-chairman Professor Gilbert Murray (British). J. David Thompson replaced Robert A. Millikan as the American member. Aikitu Tanakadate took his seat as the Japanese member.

The Eighth Assembly in its resolution declared that the reports made to it “show that the Intellectual Cooperation Organization has now in hand a large number of definite and practical undertakings of international cooperation in regard to various scientific, artistic and literary activities, and that results have already been obtained.”

By informal reference the activities in the field of intellectual cooperation are now regarded as a technical organization. Included in its scope are to be understood the International Committee, the International Institute, their respective secretariats at Geneva and Paris, the



independent special committees for definite objects, to all of which are assimilated the National Committees and the National Delegates of the separate cooperating countries.

#### NATIONAL COMMITTEES

The national committees were increased by two during the year ending July, 1927. A Netherlands committee was organized and the American committee was completed. Reorganization of several was effected. The 32 committees as a whole, the Assembly recorded, were increasing in activity. "Regular cooperation," it said, "between well-organized National Committees and the International Committee is of ever-increasing utility to the work of intellectual cooperation. The Assembly would therefore . . . invite states Members of the League which have not already done so to consider the possibility of providing the necessary funds to meet the expenses of their respective National Committees."

#### INTELLECTUAL WORKERS

The International Labor Office notified the League on April 27 of the constitution of an Intellectual Workers Advisory Committee whose work would have some points of contact with that of the committee. The new committee would include three members chosen from the Governing Body of the International Labor Office and two members of the Committee on Intellectual Cooperation, provided that the Council concurred. In the Council report on June 14 <sup>1</sup> M. Briand alluded to the economic and technical difficulties encountered by intellectual workers, particularly since the war and expressed his conviction that the initiative taken to remove these difficulties would be gladly welcomed. The Council requested the Committee on Intellectual Cooperation to place the question on its agenda and to consider what lines of demarkation should be

<sup>1</sup> *Official Journal*, VIII, p. 761.

established between its own program and that of the new organization whose duties and powers must also be laid down. Messrs. Destrée and Einstein were designated by the International Committee to take part in the work of the mixed advisory committee.

#### INSTRUCTION IN THE PRINCIPLES AND WORK OF THE LEAGUE

The Subcommittee of Experts for the Instruction of Children and Youth in the Existence and Aims of the League of Nations exists as a result of Assembly resolutions in 1923 and 1924, on which the Council acted September 26, 1925.<sup>1</sup> The Secretary-General was instructed to collect information and refer it to the Committee on Intellectual Cooperation for its judgment on how to pursue the subject. The Council on its report decided on March 15, 1926,<sup>2</sup> to appoint a subcommittee consisting of three members of the Committee on Intellectual Cooperation and 10 or 12 others having experience in educational work. The subcommittee met at Geneva, August 3-6, 1926, and July 4-6, 1927.

A special subcommittee met in Paris, from March 23-25, 1927, at the Institute of Intellectual Cooperation and examined the reports made by international associations on recommendations which had been put forward by the subcommittee and had been published for the Seventh (1926) Assembly.<sup>3</sup> The recommendations were revised in some details, with the approval of the subcommittee in July.

The subcommittee had before it reports from Governments, from organizations, from National Committees on Intellectual Cooperation and from its own members. A series of recommendations resulting from the study of all these suggestions was laid before the Eighth Assembly in what it called a remarkable report<sup>4</sup> presented by Jules

<sup>1</sup> *Official Journal*, VI, p. 1393.

<sup>2</sup> Same, VII, p. 569, 506.

<sup>3</sup> Same, p. 1202; separately, A. 26. 1926. XII. A. 5.

<sup>4</sup> A. 26. 1927. XII. A. 3.

Destrée, a member of the subcommittee and a French delegate to the Assembly. The resolution decided that the subcommittee continue its work on the lines suggested by the Council report of September 2.<sup>1</sup>

**Educational Information Centers.** The Assembly specifically approved the subcommittee's recommendations for creating League of Nations Educational Information Centers.<sup>2</sup>

**Member States to Act.** The Assembly approved the recommendations as a whole and instructed "the Secretary-General to communicate them to the Governments of the states Members of the League of Nations, requesting them, so far as may be possible in each particular case, to take the necessary measures to give effect" to them.

Section II of the report deals with the many possible methods of developing the spirit of international cooperation, which was generally defined from the point of view of the Assembly's 1924 resolution.<sup>3</sup>

Numerous practical methods of promoting direct and indirect contacts between young people of different countries are described and discussed.

Section I of the recommendations is devoted to instruction in schools and higher educational institutions, its conditions, methods and mechanism, including books and other material. Special emphasis is given to providing concrete aids to teaching. The recommendations include plans for both class-room and outside realization. "Instruction should begin in the primary school and should be continued to as late a stage as possible in the general education of the pupil," girls as well as boys. Special courses for teachers are suggested and definite types of literature and material for visual instruction are indicated, in addition to reading matter for children of various ages.

Institutions of university grade may create special chairs and in any case it is desirable that they give one or

<sup>1</sup> *Official Journal*, VIII, p. 1110.

<sup>2</sup> *How to Make the League of Nations Known and to Develop the Spirit of International Cooperation*, p. 20 (C. 515. M. 174. 1927. XII. A. 9).

<sup>3</sup> *Same*, p. 17.

more special courses on the League of Nations and international relations in general. Encouragement of selection of League problems as subjects of theses is desirable and the study of international law should be made compulsory for all law students.

Methods useful for voluntary associations are listed:

(a) By supplementing the activities of the competent educational authorities in the directions mentioned above;

(b) By arranging, in schools which so desire, lectures calculated to arouse interest among the pupils;

(c) By organizing lectures and lessons on definite problems for members of youth organizations and junior branches of their own associations, or by organizing discussions and debates in students' clubs or at vacation courses;

(d) By utilizing the presence of foreign personalities, teachers or students, to organize with their assistance lectures or discussions on questions relating to the League of Nations;

(e) By organizing competitions with the object of promoting the study of special subjects connected with the League;

(f) By providing literature and visual aids (pictures, slides, films, etc.);

(g) By stimulating the interest of educational institutions which are not under state control, and providing them with the means of giving their pupils suitable instruction on the subject of the League;

(h) By encouraging among members of universities the study of problems connected with the league;

(i) By stimulating the interest of the various organizations for adult education and helping them to study the work of the League;

(j) By accustoming young people to cooperate in the steps taken: (1) to assist a nation stricken by disaster, (2) to improve the health conditions of a country.

It is recommended that a special reference book giving an account of the work of the League of Nations and the International Labor Organization for the use of teachers should be prepared, which will probably assume a different form in various countries. The Secretary-General of the League might also be asked to examine the possibility of issuing periodical summaries specially prepared for the teaching profession and of forwarding them regularly to the leading educational reviews and journals and to educational authorities. Scientific and learned societies, as well as



authors and publishers of school-books, might be asked to see, in so far as the matter is within their province, that the League of Nations is given its due place.

"Those in charge of educational institutions should be asked to use their influence to insure that text-books in general should not be written in such a way as to conflict with the spirit of mutual conciliation and cooperation. In this respect, history text-books should be the subject of particular care. It is desirable that, in every country, incitements to hatred of the foreigner should be eliminated and every effort made to arrive at a better comprehension of what one nation owes to another."

#### INTERNATIONAL INSTITUTE OF INTELLECTUAL COOPERATION

The Institute is under the general control of the League Committee on Intellectual Cooperation, which sits as its Governing Body. It is under the detailed control of the Board of Directors, consisting of five persons of different nationalities<sup>1</sup> and the chairman of the Governing Body. The Institute is the working body on intellectual cooperation and is divided into sections corresponding with the subcommittees of the international committee.

The work of the Institute, which was inaugurated January 16, 1926, has been hampered during its first two years by lack of funds. The French Government provides its quarters in the Palais Royal, 2 rue de Montpensier, Paris, and an annual amount of 2,000,000 French francs. The Assembly declared "that it is only the smallness of its financial resources which prevents the Intellectual Cooperation Organization from rendering all the services which may now be expected of it." Countries which have contributed to the budget are Austria, Czechoslovakia, France, Hungary, Italy, Monaco, Poland and Switzerland.

The greatest diversity of activity characterizes the work of the organization and this is accentuated by the differences in technique required for realizing objects at

<sup>1</sup> Vernon L. Kellogg, of the National Research Council, is the American member. Mr. Vibbert replaced him in one session.

first sight quite similar. Moreover, almost every subject touched has its own extensive complications, so that results are not at once forthcoming.

**National Delegates.** National delegates accredited to the Institute have been named to cooperate with it by 36 states.

### MOTION PICTURES

The First International Motion Picture Conference was held at Paris in the Institute building September 27–October 3, 1926, being organized at the suggestion of the international committee (July 28, 1924). A total of 435 delegates from 31 countries was present, and they passed extensive resolutions on many phases of the subject. The International Committee on Intellectual Cooperation felt that the time had not arrived to respond to the conference desire, that “a provisional international committee be appointed immediately with an office in the League of Nations,” but asked the Institute to continue its own Office of Cinematography, which was collecting all pertinent facts as to educational features of film production and distribution.

Further, the Italian Government submitted to the Eighth Assembly a proposal to create in Rome an Educational Cinematographic Institute for which it would provide the initial funds. The Assembly left to the Council all decisions as to the steps to be taken, after consulting the competent organizations, in particular the Committee on Intellectual Cooperation. The Council on September 28 asked the Italian representative to communicate in due course any proposal he might think fit to make. Draft statutes for the new institute should be framed in consultation with the Secretary-General, who might seek the opinion of the director of the Institute of Intellectual Cooperation and the Child Welfare Committee.

## SUBCOMMITTEE ON ARTS AND LETTERS

The subcommittee meeting at Geneva July 16-19, considered the work of the International Museum Office and the organization of a congress of popular art, and examined the possibility of international action in regard to the theater, the protection of natural beauty spots, the publication of an international artistic yearbook and the translation of literary works.

The Assembly exhibited considerable interest in the Congress of Popular Arts scheduled to be held at Prague in October, 1928, for which the Czechoslovak Government has granted a subsidy. It congratulated the Swiss Federal Government, and more particularly the city of Bern, on the initiative regarding an International Exhibition of Popular Arts to be held in that city and requested the Secretary-General of the League and the Institute for Intellectual Cooperation to assist the promoters of this enterprise.

International work in connection with the theater is under study by the Institute on a proposal of the subcommittee. Recreation and the procuring of engagements are two questions of particular concern.

Protection of natural beauty spots, especially national parks, was placed on the Institute's program in order to call forth international recommendations.

Publication of an international artistic yearbook has been approved in principle.

An international translation office might be useful as soon as specially qualified translators had formed national groups, which might set up an International Translation Committee with which the Institute on Intellectual Cooperation might enter into relations.

**International Museum Office.** This office has been functioning since the beginning of 1927 at the headquarters of the Institute. Its establishment was approved by the Council on September 3, 1926.<sup>1</sup>

<sup>1</sup> *Official Journal*, VII, p. 1287.

A Committee of Museum Representatives met at Geneva on January 14-15 <sup>1</sup> to draw up proposals for its organization and program.<sup>2</sup>

This committee took note of the work of the Committee of Representatives of Chalcographical Institutes which had reached an agreement with regard to the exchange and sale of prints produced by the institutes and the joint exhibition of such prints. The first joint exhibitions opened on April 15 in Rome, Paris and Madrid. The Belgian Government is contemplating the foundation of a national chalcographical institute, and Geneva, Liège, Brussels, Mülhausen, Saragossa and some American towns are planning exhibitions.

The International Committee believes that the office has a large field of action. A bulletin *Mousetion* is being issued in French and a series of special brochures is contemplated.

The Committee of Museum Representatives proposed an agreement between museums possessing cast workshops. It recommended that museum catalogs should take three forms: guides, summary catalogs and scientific catalogs. Sales catalogs ought to be compiled so as to increase their value from the point of view of the history of art. The committee recommended that the Office draw up a catalog of dismembered works of art (*i.e.* parts of which may be found in different museums). The work of the Office should bear upon the exchange between museums of information and documents, the deposit of works of art and mutual assistance between museums.

A committee of Experts to Study the Educational Rôle of Museums met at the Institute on October 28-29, and drew up detailed suggestions. Lawrence Vail Coleman was the American member.

<sup>1</sup> *International Committee. Minutes of the Ninth Session*, p. 95 (C. 424. M. 157. 1927. XII).

<sup>2</sup> *Official Journal*, VII, p. 1287.



## SUBCOMMITTEE ON BIBLIOGRAPHY

The subcommittee<sup>1</sup> met at Geneva July 11-13, its report being presented to the committee by J. David Thompson, secretary of the American National Committee, who sat for the American member of the subcommittee, Jacob R. Schramm. The report reviewed the work of the Scientific Relations Section of the International Institute, which is in effect the subcommittee's secretariat and which issues the *Bulletin for Scientific Relations*.

A practical formula for the coordination of the bibliography of the various sciences has been worked out between the preparers and the users of such publications. A second Conference of Experts for the Coordination of Bibliography in the Economic Sciences was held at Paris in January, 1927. Five regional specialist organs for carrying out the international task are to be enlisted in the effort. The work in biological sciences has resulted in canvassing the resources already available, and the possibility of a single abstract journal is being explored, the experts having met at Paris April 7-8. A bibliography of current bibliographies in the humanistic sciences is being prepared. The bibliography of Greco-Roman archeology is also being studied.

**Coordination of Libraries.** A committee of experts to study the coordination of libraries met in Paris April 7. It proposed that the Institute should bring about the creation in each country of a National Library Coordination Service, such as exists in the United States, Germany and France. The service would endeavor to facilitate loans and exchanges between the libraries of the various countries, promote the organization of information services in libraries, and direct intellectual workers to the libraries containing the most suitable material for their studies. More than 400 libraries have expressed willingness to cooperate.

<sup>1</sup> *International Committee. Minutes of the Ninth Session*, p. 99 (C. 424. M. 157. 1927. XII).

W. Dawson Johnston represented the Library of Congress and William W. Bishop the American Library Association.

**Quality of Official Documents.** The subcommittee has begun examination of the quality of ink and paper used in official documents and set up a committee of experts to deal with it.

**Mathematical Quantities.** The Assembly regarded as "extremely desirable" an understanding between Governments to insure the continuance of the International Office for Annual Tables of Constants and Mathematical Quantities. Governments, scholars and industrial organizations are equally interested in the continuance of this enterprise, which is in danger owing to lack of funds.

#### SUBCOMMITTEE ON INTELLECTUAL RIGHTS

The Subcommittee on Intellectual Rights <sup>1</sup> considered questions concerning the status of international law associations, scientific property, and authors' rights.

**International Law Associations.** As to private international law associations, the committee considered that, by reason of the diversity of their statutes, which are governed by the laws in different countries, it would be necessary to frame an international régime providing them with universally recognized legal status and the necessary means of subsistence. Their establishment on an autonomous basis independent of national legislation is to be further studied by the Institute.

**Scientific Property.** The preliminary inquiry on the protection of scientific property is closed. A special committee of experts at Paris December 12-14 prepared a revised draft of a scheme intended to secure to intellectual workers a share in the material profits resulting from the industrial application of their discoveries. It affirms the principle of the right of the owner of a scientific discovery to receive payment for its industrial exploitation. Benjamin H. Conner of the American Chamber of Commerce

<sup>1</sup> *International Committee. Minutes of the Ninth Session*, p. 86 (C. 424. M. 157. 1927. XII).

in Paris was a member of the committee. The Charles C. Linthicum Foundation of Chicago has announced a \$1,000 prize for the best essay on the subject submitted by March 1, 1929.

**Copyright.** The committee, indorsing the opinion of the Subcommittees on Intellectual Rights and Arts and Letters, decided that, at the diplomatic conference convened to meet in Rome in November, 1927, for the revision of the Bern convention on industrial, literary and artistic property, it would support the following point of view: authors' rights should be internationally fixed as valid for a period of 50 years *post mortem auctoris*; national reservations to the Bern convention should be abolished; applied art, as far as authors' rights are concerned, should be considered as works of art strictly speaking; all national law systems should take account of the *droit de suite* (to secure for an artist a share in the increase of the value of his works at successive sales), the principle of the respect of works of art (prohibition of alterations which might change the character of a work of art) and the principle of paying for reproductions of works which have become public property (for the purpose of constituting funds to encourage the arts).

#### SUBCOMMITTEE FOR UNIVERSITY RELATIONS

The subcommittee held its ninth session at Geneva, July 7-8.<sup>1</sup> Until May 1 the University Relations Section had been without a chief, and the past year had consequently been a difficult one. Resumption of publishing the *Bulletin on University Relations* in an amended form was decided. The Institute was invited to continue its study of the equivalence of diplomas and to organize a special service to deal with questions concerning students. A scheme for the establishment of international post-graduate scholarships contemplated the convocation by the Institute of a committee of experts. The committee decided to

<sup>1</sup> *International Committee. Minutes of the Ninth Session*, p. 65 (C. 424, M. 157, 1927. XII).

encourage all efforts to set up national university offices in countries in which they did not yet exist.

At the meeting of the subcommittee J. David Thompson, secretary of the American National Committee, sat for Vernon L. Kellogg.

**Students' Organizations.** The second session of the Committee of Representatives of International Students' Organizations was held at Geneva April 11-12 under the chairmanship of Gonzague de Reynold of the International Committee.<sup>1</sup> The organizations represented were: the International University Federation for the League of Nations, the World Union of Jewish Students, the International Federation of University Women, the International Student Service, the World Student Christian Federation, "Pax Romana," the International Students' Confederation and the *Auslandsamt der deutschen Studentschaft* (in an advisory capacity).

At this session the committee decided that a central international office should be set up in connection with the International Institute, with one delegate from each of the international students' organizations. Reports from the International Confederation of Students on traveling facilities and an international identity card for students and the question of the equivalence of degrees and studies were examined. Material collected by the International Federation of University Women and the International Confederation of Students on degrees will be completed by these organizations and the Institute of Intellectual Cooperation. The committee instructed the International Student Service to submit at a later meeting a complete report on methods of mutual assistance employed by students' organizations.

<sup>1</sup> *International Committee. Minutes of the Ninth Session*, p. 70 (C. 424. M. 157. 1927. XII).



## VII. HEALTH ORGANIZATION

The Health Committee met during 1927<sup>1</sup> as follows:

9. Geneva, February 14-18.<sup>2</sup>
10. Paris, April 26-27.<sup>3</sup>
11. Geneva, October 18-November 3.<sup>4</sup>

Surgeon-General H. S. Cumming, director of the United States Public Health Service, is a member of the committee: Dr. Alice Hamilton, professor of Industrial Hygiene at Harvard University and Professor C.-E. A. Winslow, president of the American Public Health Association, professor of sanitary biology and bacteriology, Yale University, are assessors to the committee.

In addition to committees specially noticed below, the Health Committee also maintained during 1927 the following commissions: Permanent Standards, Smallpox and Vaccination, Opium, and Eastern Bureau at Singapore.

**Cooperation with Office International.** At its ninth session the committee discussed the draft proposal on the coordination of its work and that of the Committee of the Office international d'Hygiène publique, in view of the provisions of the new sanitary convention of 1926 permitting the Office to discharge certain of the duties intrusted to it by the convention through the agency of regional bureaus of the League (the Japanese Government signed the convention only on condition that the Singapore Bureau should undertake these functions in the Far East). The committee adopted the terms of a provisional draft agreement providing for cooperation between the Health Committee and the Committee of the Office International,

<sup>1</sup> *Annual Report of Health Organization for 1927*. A. 10. 1928. III. 1.

<sup>2</sup> *Official Journal*, VIII, p. 440.

<sup>3</sup> Same, p. 809.

<sup>4</sup> Same, IX, p. 212.

as well as for the assumption of the duties of reception, transmission and dissemination of information by the regional bureaus of the Health Organization.

The two agreements<sup>1</sup> were accepted by the Permanent Committee of the Office International on April 20 and by the Health Committee on April 26. The Council approved them on June 13.

**Special Epidemic Activities.** An epidemic of influenza broke out in Europe in November, 1926, and spread over a wide area. As a result of requests for information concerning its prevalence from the health officials of Australia and the United States, a special bulletin was published twice a week from January 11, and wireless broadcasts begun. The bulletins published information from Austria, Germany, Belgium, Denmark, France, Great Britain, Italy, Norway, Sweden, Switzerland, Czechoslovakia, Bulgaria, Egypt, Estonia, Finland, Greece, Hungary, Japan, Latvia, Netherlands, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Spain, United States, India, Irish Free State, Lithuania and the Union of Socialist Soviet Republics.

The Health Committee decided that as much detailed information as possible should be collected on the epidemic, and the Health Section asked all the European health services to prepare a general report as soon as the epidemic ended. The information thus collected may prove useful in the organization of preventive measures against future epidemics.

The Bureau of Epidemiological Intelligence at Singapore is perhaps the most interesting institution established by the League. During 1927 it received weekly telegraphic reports concerning local health conditions from no less than 137 ports of Asia, Australasia and the east coast of Africa. This information is tabulated and its salient features are gathered into a code message which is broadcast each Friday from the French wireless station. The message is relayed from Geneva to 124 public health ad-

<sup>1</sup> *Official Journal*, VIII, p. 809.

ministrations throughout the world. The reports usually deal with the plague, cholera and smallpox, although the presence or absence of infected rats is also reported. With respect to the notifiable diseases, both the number of cases and deaths resulting therefrom are given. The report includes the existence of infectious diseases on ships and the declaration and cancellation of all maritime quarantines throughout the Far East. It further tabulates mortality rates week by week and, by the addition of other details, serves to afford a complete picture of epidemic conditions in the area of the world from which all the great plagues have come.

The Singapore Bureau is controlled by an Advisory Council established under resolutions of the Council. During 1927 there was intrusted to it by the arrangement between the Health Committee and the Office International the duties concerning the collection, tabulation and dissemination of information under the international sanitary convention of 1926.

The epidemiological service of the League undergoes steady extension and improvement. The Monthly Epidemiological Report becomes more and more complete both as to the areas reported upon and the notifiable diseases included in it. As a result of its continuance, considerable improvement has taken place in the statistics received, which in their published form become more and more useful for comparative examination.

The Health Committee at its 11th session adopted the conclusions of a conference of experts, held at Geneva, October 25-26, on the form of presentation of the League's periodical epidemiological publications, the question of the wireless transmission of such data, and the general use of a code based on the AA cable code now used for the Singapore Bureau. The experts were from the health services of Great Britain, the United States, Australia, the Sanitary Maritime and Quarantine Board of Egypt, and the health service of Algiers, all of which have extensive foreign epidemiological intelligence services. The advantages of

coordinating these services with the central intelligence service at Geneva and obtaining the greatest possible degree of uniformity in the collection and transmission of epidemiological data, are obvious.

**Interchanges of Personnel.** The International Continuation Course in Public Health organized by the Paris Institute of Hygiene by arrangement with the Health Organization, in response to requests from several public health administrations, was held at Paris January 17–March 5. This course represented a new type of interchange. The first period of six weeks included a course of lectures by public health and medical experts from various countries and a series of visits to public health institutions in and near Paris. The second period was devoted to the practical study — in countries selected by the participants — of health institutions providing the most useful experience for the exercise of their calling. The course was attended by medical officers of the health administrations of Bulgaria, Czechoslovakia, Estonia, Greece, Hungary, Latvia, Lithuania, Luxemburg, Paraguay, Poland, Rumania, Serb-Croat-Slovene State and the Union of Socialist Soviet Republics.

The final conference of an interchange of medical officers, which began in Great Britain on February 21, was held in Geneva on April 14. It was attended by medical officers from Belgium, China, Czechoslovakia, Germany, Italy, Lithuania, Poland, Rumania, the Serb-Croat-Slovene State and Sweden.

As a result of the interchange in Japan in 1926, arrangements were made with the Japanese health authorities to enable Japanese medical officers to study selected subjects in Europe either on individual missions or under scholarships. A government nutrition official studied vitamins in Europe and in the United States. A bacteriological expert made a special study in Germany of the problems connected with vaccination by mouth. Another studied methods employed in the prevention of venereal diseases in 12 European centers and the United States. A fourth



studied the relationship between health insurance and the public health service.

The health administrations of the German Reich and states were intimately studied by the members of an interchange of public health officials which began on September 19 and closed with final conferences at Geneva, November 1-3. The interchange was one of the most carefully prepared that has been held, some 80 pamphlets being printed and distributed to its members by the administrations and institutions visited. Officials from Argentina, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Estonia, France, Great Britain, Hungary, Italy, Japan, Latvia, Netherlands, Norway, Poland, Serb-Croat-Slovene State, Sweden, Switzerland, United States and the Soviet Union participated.

### Latin American Activities

The first League conference on Latin American soil was a Conference of South American Experts on Child Welfare<sup>1</sup> at Montevideo, Uruguay, June 7-11, under the honorary presidency of Dr. Luis Morquio, president of the Ministry of Industry of Uruguay. Dr. Thorvald Madsen, president of the Health Committee, was the president of the conference.

The conference was attended by experts from six Latin American countries, the Argentine Republic (Dr. Gregorio Araoz Alfaro), Bolivia (Dr. Velasco Blanco), Brazil (Dr. Barros Carreto), Chile (Dr. Calvo MacKenna), Paraguay (Dr. A. Gubetich) and Uruguay (Dr. Luis Morquio). The League Health Organization was represented by Medical Director Rajchmann.

Inquiry into infantile mortality is a great and urgent problem in South America, where underpopulation is a problem and infant mortality rates are comparatively high. The conference decided on a preliminary inquiry in Argentina, Brazil and Uruguay. In Argentina, two

<sup>1</sup> See the report in A. 49. 1927. III. 8; compare p. 157 [ 317 ].

municipal districts in the city and one in the province of Buenos Aires were chosen, as well as the municipality of Tucuman and two rural districts in the province of Tucuman. In Brazil there will be extensive studies, urban and rural districts with a negro population having been selected in Bahia, municipal and rural areas in the federal districts of Rio de Janeiro, and similar areas in the municipalities and state of São Paulo, particularly among the Italian population. Districts were also selected in Uruguay. The preliminary investigation, completed by the end of the year, was followed by a detailed study in 1928.

The Assembly was much impressed with the significance of the conference and its suggestions for continued co-operation in Latin America. In its resolution the Assembly considered

That the realization of these suggestions would result in creating links between the health work of the League and the activities of national health administrations in these countries and would represent a good method of developing the work of the League's technical organizations in Latin America.

**School of Infant Hygiene.** At its 11th session the Health Committee requested the Council of the League to arrange to place under the auspices of the League of Nations a proposed international school for infant and child hygiene at Buenos Aires, Argentina, with provincial stations. The newly-constructed maternity institute at Buenos Aires, perhaps the finest institute for social medicine in Argentina, is the nucleus of the new school. Existing agencies may be amalgamated into one directing council, whose president would be appointed by the Health Committee. The school would provide training for medical and nursing personnel, and have a number of provincial stations in districts with high infant mortality as well as in those attracting large numbers of immigrants. The League would grant scholarships to Latin American doctors and nurses as well as participate in the cost of investigations of an international character.

**International Public Health School.** The establishment of an international school of public health under the auspices of the League at Rio de Janeiro, Brazil, was approved by the Health Committee at its 11th session. The basis of this school will be the two years' university continuation course for the training of public health officers started in 1926 by the director of the Oswaldo Cruz Institute of the Rio Faculty of Medicine. This school should be given permanent standing under the auspices of the League, and an international character, 1, by the establishment of programs in consultation with the Health Committee (which will also consider an annual report on the school's work); 2, by the grant of scholarships from the Health Organization to Latin American medical officers; and, 3, by sending at the Health Committee's invitation one or two foreign experts to give a six months' course at the school each year. The training of public health officers is an urgent need in many Latin American countries.

**Other Proposals.** A further proposal, from the State of São Paulo in Brazil, sought the collaboration of the Health Committee in regard to problems relating to the diagnosis and treatment of syphilis. This was approved and an expert serologist sent to make known the work of the Health Organization on this subject, and to coordinate the work of the various laboratories in Brazil, and later of the different institutes in Brazil, Uruguay and Argentina.

At its 11th session the committee approved in principle proposals for cooperation between the Health Committee and the Brazilian health authorities for the purpose of setting up an international center for the scientific study of leprosy, a prevalent disease in Latin America.

### Pacific Health Survey

An International Pacific Health Conference was convened by the Government of Australia and held at Melbourne from December 15 to 22, 1926. In accordance with

a resolution of the conference, the Health Organization was invited to give all practical assistance to epidemiological and preventive work in the Austral-Pacific zone and, in particular, to consider the possibility of initiating or promoting schemes of coordinated research in that zone. At its 11th session the committee expressed its appreciation of the invitation. Study of health problems in the Pacific area will begin with a preliminary survey of health conditions in Papua, New Guinea, the New Hebrides, New Caledonia, the Solomon Islands and Fiji.<sup>1</sup>

### International Rabies Conference

The first International Rabies Conference was held at the Pasteur Institute in Paris from April 25 to 30. It was attended by representatives from anti-rabies institutes in 27 countries.

This conference was organized by the Health Committee in view of the general interest in the treatment of hydrophobia and numerous requests made by directors of anti-rabies institutes. A detailed questionnaire was prepared in conjunction with the Pasteur Institute and sent to the principal anti-rabies institutes throughout the world. The replies received and a report prepared on the basis of earlier information served as the groundwork for the discussions.

Four committees, were concerned with the nature of the rabies virus; the methods of inoculating persons after they have been bitten; various modifications of the Pasteur treatment; general and local accidents consequent on anti-rabies inoculations; post-vaccinal paralysis; the problem of inoculating domestic animals which have been bitten and the preventive inoculation of dogs; the necessity for preparing upon a uniform basis statistics concerning the results obtained from anti-rabies treatment; legislation in force in the various countries.

The conference <sup>2</sup> adopted the resolutions and recom-

<sup>1</sup> *Health Committee. Eleventh Session*, p. 176 (C. 579. M. 206. 1927. III. 19).

<sup>2</sup> Same, p. 132; see also *Reports . . . to the International Rabies Conference . . .* (C. H. 531 (1). 1927. III. 14).



mendations of its committees and decided upon inquiries concerning the technique of human vaccination, different kinds of vaccine, plurality of strains of street and fixed virus, the rabicidal action of the serum of man and animals during and after immunization, etc. It requested the Health Organization (1) to consider the possibility of organizing these investigations and of arranging for the collection and distribution to institutes of information relating to rabies; (2) to arrange that preliminary investigations be carried out with the object of supplying all anti-rabic institutes with a strain of fixed virus of high protective value; (3) to publish statistics on the results of anti-rabic treatment in the different anti-rabic Institutes of the world. Every Pasteur institute should communicate each year statistics tabulated according to a schedule to be drawn up by the Health Organization.

The American members of the conference were Dr. Taliaffero Clark, Dr. Atherton Seidell and Dr. C. A. Shore.

### Committee Work

**Infant Welfare.** The second session of the Conference of Health Experts on Infant Welfare convened by the Health Organization was held in Paris January 17-20. Dr. Taliaffero Clark was the American member.

The conference examined plans for investigating infant mortality and made specific recommendations as to the methods and scope of the proposed inquiry. It decided to begin the study of the medical, public health and social causes of all infant deaths and dead births in two rural and two urban districts of Austria, France, Germany, Great Britain, the Netherlands, and Norway. The inquiry in each district covered a period of 12 months, beginning early in 1927.

At its ninth session the Health Committee approved the plan of the conference. In pursuance of a resolution of the eighth session to invite experts from South American countries to participate in the studies proposed by the conference, the cooperation of Professor Morquio of

Montevideo, Professor Figueira of Rio de Janeiro, and Professor Arsez Alfaro of Buenos Aires had been obtained.<sup>1</sup>

**Health Insurance and Public Health Service.** At its ninth session the Health Committee had before it the results of the preliminary survey on the relation of health insurance to public health services, undertaken at the instigation of the Czechoslovak delegation to the Sixth Assembly in September, 1925.<sup>2</sup> The survey brought out that a great many health insurance organizations are engaged in one form or another of preventive medicine, health education or public hygiene, but often with little or no correlation with that of other public health agencies. Duplication of work appears in dispensary and laboratory services, etc. The introduction of a well-considered system would allow of better utilization of all available facilities. The Health Committee decided to appoint a commission of experts.

The Joint Commission of Experts set up by the Health Committee met in Geneva April 11-12 to consider the most effective methods of collaboration between health insurance organizations and public health services in the field of preventive medicine. Half the members of the commission represented the public health services and were nominated by the Health Committee; the other half, representing health insurance organizations, were selected by the Governing Body of the International Labor Office.

After an exchange of views on the general principles of preventive medicine, the commission decided that further cooperation and coordination were desirable between public health and social insurance in this connection, and recommended that surveys should be made in selected countries, supervised by members of the commission. It also recommended that these subjects should be specially studied: Education of the insured in hygiene, protection of maternity, infancy and the child of pre-school age, prevention of tuberculosis, prevention of venereal diseases, protection of the child of school age.

<sup>1</sup> Compare p. 139 [ 299 ].

<sup>2</sup> *Health Committee. Ninth Session*, p. 71 (C. 107. M. 38. 1927. III. 4).

The Uruguayan Government will collaborate closely with the commission and the president of the National Health Council of Uruguay will go to Europe to keep in touch with its work.

**Malaria Commission.** At the 11th session of the committee the chairman of the Malaria Commission presented its second general report, containing its conclusions on measures for dealing with malaria in Europe as well as a general discussion of such measures.<sup>1</sup> The report emphasizes the commission's view that no one method of malaria suppression can be considered best, and that each district must be carefully studied before deciding what methods are the most likely to yield good results. The practical necessity of keeping the balance between preventive and curative measures is pointed out.

Colonel S. P. James (of the Medical Intelligence Service in the British Ministry of Health) and Professor N. H. Swellingrebel (Institute of Tropical Medicine, Amsterdam) reported on their visit to certain districts in the Mississippi basin, in order to study various features of anti-malaria technique, such as antilarval measures and Bass's experiments on the exclusive use of quinine, as a control measure. The Health Committee decided that this report contributed fresh data and raised questions requiring detailed consideration at a future general meeting of the commission, to which malariologists from the United States would be invited. The Medical Director was requested to obtain the observations on the report of the authorities of the United States Public Health Service and of the International Health Board of the Rockefeller Foundation.

The Health Committee has accepted an invitation from the Indian Government to study this problem in India.

The commission continues its scientific studies of problems concerning epidemiology, such as the relation of river deltas to endemic malaria, the therapeutic properties of various alkaloids of cinchona other than quinine, etc.

The League Commissioner in Bulgaria requested that

<sup>1</sup> *Principles and Methods of Antimalarial Measures in Europe* (C. H. Malaria, 73, 1927. III, 3).

the commission study the problem of malaria among the refugees there. A member of the commission investigated and organized a campaign in the Bourgas district.

Courses in malariology at Hamburg, London and Paris started by the Health Committee on the advice of the Malaria Commission aroused great interest. They were for the purpose of training malariologists. The first part of the courses consisted of studies organized by the directors of the institutes, in London from April 25 to June 13, in Hamburg from May 9 to June 13 and in Paris from June 7 to July 13. The second part of the course enabled participants to familiarize themselves under competent direction both with the practical work of a malariologist, and with measures for destroying larvæ and the breeding grounds of mosquitoes. The second stage was held in various parts of Italy, Spain and the Serb-Croat-Slovene State.

**Sleeping Sickness.** The final report of the International Commission on Sleeping Sickness in Equatorial Africa was discussed by the Health Committee at its 11th session. It invited the Commission of Experts, which had proposed the dispatch of the Commission of Inquiry to Africa, to examine the scientific and administrative conclusions of the report and requested the Council to inquire whether the Governments which had participated in the first International Conference on Sleeping Sickness (London, 1925) would be willing to send technical delegates to a second conference with the object of studying the report. On December 7 the Council placed at the disposal of Governments, for the work of such a conference, the technical collaboration of a delegation from the Health Committee and from the Health Section of the Secretariat.

**Cancer Commission.** The Cancer Commission ended in 1927 its investigation of the wide divergencies existing between the rates of cancer mortality in different countries. The Health Committee at its 11th session requested the commission to present for consideration at the next session an analysis of the proposals received for new work of an international character on the subject of cancer.



## VIII. TRAFFIC IN OPIUM

### Advisory Committee

The Advisory Committee on Traffic in Opium and other Dangerous Drugs met during 1927 as follows:

9. Geneva, January 17–February 3.
10. (Extraordinary). Geneva, September 28–October 8.

At the 9th session, Stanley Woodward acted as observer for the United States, S. Pinkney Tuck serving in that capacity at the 10th. Colonel Arthur Woods of New York sat at the 10th session as an assessor. Herbert L. May of the Foreign Policy Association attended the 10th session to give information on opium smoking in the Far East.

Public meetings were the rule during both sessions, only details of some of the illicit traffic instances being discussed in private.

**Convention of 1925.** At its ninth session the committee suggested that the Council should remind the states Members of the League that the convention of the Second Conference would come into force only after ratification by at least seven of the states represented on the Council, including at least two permanent Members. The fact that the convention is not in force creates obstacles which the campaign against the illicit traffic will continue to encounter so long as the authority is withheld which the committee would gain under the convention. Following both the 9th and 10th sessions of the committee the Council urged ratification on the attention of Member states, noting particularly that the entrance of the convention into force depends upon Members of the Council. By the end of 1927 the convention had been ratified by 12 states, three

of which were Members of the Council, and 9 other states had acceded to it.

**Budget of Central Board.** The question of the budget of the Permanent Central Board on drug questions provided for in the final act of the Second Opium Conference was discussed by the Council on June 13. The conference having requested the Council to include in the budget of the League Secretariat the expenses of the board, the Council decided to refer the matter to the Assembly, which did not make advance budgetary provisions for the expenses. The estimate presented to the Council showed an indicated annual cost of 147,200 francs.<sup>1</sup>

**Reservations.** During its 10th session the committee examined the question of the reservations made by the Swedish Government in regard to Art. 6 (c) of the convention, which requires that pharmacists shall enter in their books all sales of narcotics and file and preserve the relevant prescriptions. The Swedish Government had stated that accession to the convention would involve changes in its legislation, which, without giving an additional guaranty against the illicit traffic, would cause such inconvenience to the population that they could hardly be recommended. It had, therefore, asked whether Sweden could accede to the convention subject to reservation. This request was communicated for observations to the Governments signatory to the convention and in June, 1927, the Council decided to seek the opinion of the Advisory Committee.<sup>2</sup>

The committee heard M. Hennings (Sweden) and M. Lange (Norway), who drew attention to the similarity of the situation in Norway and Sweden in this respect. Since its next ordinary session would be held in January, 1928, the committee decided to ask the Swedish Government time to reconsider the matter in the interval.

<sup>1</sup> *Official Journal*, VIII, p. 811-13.

<sup>2</sup> See same, p. 758 and 813.

### Persian Production

The Report of the Commission of Inquiry into Opium Production in Persia <sup>1</sup> was before the Council on March 11.<sup>2</sup> Statements on the opium policy of the Persian Government were made by Mustafa Gholi Khan Kemal Hedajat and his technical adviser, Colonel Daniel W. McCormack (American). The Persian Government was prepared in principle to accept the recommendations of the commission, with the reservation that, after the plan had been in effect for three years, the position would be reconsidered in the light of the economic and financial situation of Persia and the efforts made by other producing and manufacturing countries to curtail their output. As to the replacement of the opium poppy by other crops, the two most important factors to be considered were time and cost. Five or six years would elapse before production was fairly under way and the cost of the substitution could be estimated with any accuracy. Important irrigation and transport works were necessary. The Government proposed to exempt from taxation land diverted from opium production, and to grant loans to cultivators reducing the area reserved for poppy-growing. It also contemplated introducing the import certificate system subject to certain conditions.

The Council referred the whole matter to the Assembly which on September 20 passed a resolution in which it especially commended the good will shown by Persia in aiding the solution of the narcotic evil. It requested Persia to keep the League informed of the progress made in the execution of its program of reduction.

### Control of Manufacture

A representative of Italy sat on the committee for the first time during its ninth session. Italy produces no

<sup>1</sup> See *Report and Observations of the Persian Government*. A. 7. 1927. XI. 1926. XI. 10 and A. 8. 1927. XI. 4.

<sup>2</sup> *Official Journal*, VIII, p. 392.

opium and M. Cavazzoni at once took the advanced position of a country solely concerned with reducing the menace to its population resulting from the overproduction of drugs in the world. He proposed that the Council should summon an extraordinary meeting of the committee to study measures for the limitation and rationing of the drug manufacture and the question of smuggling, its causes and measures for its suppression.

The lengthy discussion which followed disclosed the fact that it has not been possible to secure the universal application of the only effective methods which could be applied. The committee felt that the time was not ripe for a profitable discussion of the full application of measures controlling drug manufacture since the provisions of the convention drawn up at the Second Opium Conference had not yet been put into force even by the parties to the 1912 convention.

A special meeting to study exhaustively the problems of the contraband traffic, however, would serve a useful purpose and the Council authorized holding such a session immediately after the Assembly.<sup>1</sup>

To the 10th (extraordinary) session thus provided for, M. Cavazzoni presented to the committee for consideration a memorandum containing an elaborate scheme for the control of the drug traffic.<sup>2</sup> The drug traffic still continued; its volume was still enormous. Something was clearly lacking. The committee, the Council, the Assembly — all had displayed the most praiseworthy energy; but, despite all this, the results were most disappointing. He felt that, this being so, the probability was that the methods adopted had been wrong. For too long Governments had been allowed to adopt individual measures for the indirect limitation of manufacture and for supervision over the traffic. More universal and more vigorous methods must be followed if the desired results were to be attained. A uniform method must be prescribed — a method enabling

<sup>1</sup> *Official Journal*, VIII, p. 390.

<sup>2</sup> *Minutes of the Tenth (Extraordinary) Session*, p. 111 (C. 557. M. 199. 1927. XI. 10).



all Governments to apply, with uniformity and certainty, the principles underlying the conventions of The Hague and of Geneva.

The committee was prepared to consider sympathetically M. Cavazzoni's suggestions; but felt doubts as to the practicability of some detailed proposals, while the difficulty which would be experienced in inducing Governments to accept and apply them was stressed. There was no country where the scheme, as it stood, was applied. Many of its provisions are already in force in some countries; others had adopted variants of these proposals which are believed to be working satisfactorily and which they would therefore be unwilling to change. The wholesale alteration of laws, rules and regulations was not a task which any Government would lightly undertake.

Despite these difficulties, the committee felt that the moment was opportune for a general examination of the question of the best methods of drug control and the preparation of a report based on the experience of the existing measures and methods of administration which have been found to be effective. The Geneva convention of 1925 would, it hoped, shortly be in force; and Governments might be glad of assistance in drawing up a practical and adequate code of control based on their obligations under that convention.

Tactically it was unwise to insist on uniformity. Conditions varied; methods of administration were different; national psychologies were not the same. It would also have to be borne in mind that the honest trader must not be unnecessarily hampered in carrying on his legitimate business. So also over-elaboration must be avoided; any unnecessary complexity would arouse opposition and would defeat its own end.

It was eventually decided that a subcommittee should be appointed to undertake this work, including a detailed study of M. Cavazzoni's memorandum. The subcommittee is as follows: Dr. Anselmino, M. Bourgois, Dr. Carrière, M. Cavazzoni, Sir Malcolm Delevingne and M. van Wettum.

During the session the committee examined 83 reports relating to seizures of narcotics in all parts of the world. The committee considered that cooperation between Governments was unquestionably much better than only a short time ago.

**Illicit Traffic.** Colonel Arthur Woods of New York, one of the assessors of the committee, in discussing the Cavazoni proposal in the tenth session presented a resolution calling for a rigid control over opium exportation. The early ratification of the 1925 convention was extremely important and, pending its entrance into force, all possible action should be taken, he said. The present emergency resulted from manufacture on a scale "vastly in excess of the world's medical and scientific requirements," and its solution lay in reducing this excess. "The only way to stop the traffic was to stop the drug at its source. There were only some 40 factories which were included in some eight countries, and were all known. . . . Every ounce of drug in the illicit traffic came from one of these 40 factories in some eight countries which were bound, as signatories of the Hague convention, to limit manufacture." The only opposition was the financial interests involved in the illicit traffic. He felt that enlightened public opinion would prove stronger than they, and it was the privilege of the committee to "hold the light before the public." He proposed a resolution which was passed by the committee and adopted in the report of the Council on December 6.<sup>1</sup>

At its ninth session the committee proposed that a systematic and searching inquiry should be undertaken by the Governments of all countries which manufactured or imported drugs, with a view to discovering from whom and by what methods traffickers procured their supplies, and recommended that any one found to be knowingly supplying drugs for other than medical or scientific purposes should be prohibited from manufacturing, importing or dealing in these drugs for the future.

<sup>1</sup> *Official Journal*, IX, p. 129.

## IX. PROTECTION OF WOMEN AND CHILDREN

### Work of Advisory Commission

The Advisory Commission for the Protection and Welfare of Children and Young People met in Geneva from April 25 to May 6, under the chairmanship of M. Regnault (France). The Traffic in Women and Children Committee sat in its sixth session from April 25 to April 29; the Child Welfare Committee sat in its third session from May 2 to May 6. On April 30 a plenary meeting of the Advisory Commission dealt with questions of interest to both committees. All meetings were public.

Miss Grace Abbott, chief of the Children's Bureau, Department of Labor, is a member of the Traffic in Women and Children Committee. Miss Julia Lathrop representing the National Conference of Social Work is an American assessor on child welfare.

The question of the *Age of Marriage and Consent* was dealt with by both committees, the problems involved concerning both the traffic in women and child welfare.<sup>1</sup> The commission expressed its opinion that the fixing of too early an age of consent was likely to encourage the traffic. It accordingly requested the Council to draw the attention of Governments to the necessity of fixing this age sufficiently late to insure the effective protection of children and young people. The question of the age of marriage and its possible relation to the age of consent was postponed.

#### 1. TRAFFIC IN WOMEN AND CHILDREN

The Special Body of Experts appointed by the Council to investigate the extent of the traffic in women and children and the efficacy of measures taken against it met at Geneva February 7-18. This body, whose constitution was pro-

<sup>1</sup> See League of Nations Document C. P. E. 90 (1). 1927 IV. 8.

posed to the Traffic in Women and Children Committee by Miss Grace Abbott, chief of the Children's Bureau in the United States Department of Labor, drew up and unanimously adopted a general report on the results of its two years' investigation, which had taken place under the direction of Bascom Johnson (American). The meeting was attended by Dr. William F. Snow, chairman (American); Donna Christina Bandini (Italian), Isidore Maus (Belgian), M. de Meuron (Swiss), S. W. Harris (British); M. le Luc (French) and M. Suzuki (Japanese). Dr. Paulina Luisi (Uruguayan) was unable to attend.

The report was considered by the Council on March 9,<sup>1</sup> the rapporteur, Sir Austen Chamberlain, briefly summarizing its main features. The report was presented in two parts, the first<sup>2</sup> giving a concise account of the facts disclosed by the inquiry and a statement of the conclusions based upon them; the second a more detailed statement of evidence derived from various sources and arranged according to countries.

There were two main sources of information. The first source was official. Valuable information had been obtained by means of the replies sent by Governments in answer to the specially framed questionnaire; and much other valuable information had been given to the investigators on the spot in conversation with Government officials and others. The other main source of information was from persons connected with this traffic. No fewer than 6,500 persons were interviewed, about 5,000 of whom were connected with commercialized prostitution. The experts did not suggest that the statements made by members of the underworld were accurate in every detail, but so far as was practicable they had been checked by corroborative evidence, and care was taken not to use any material the truth of which did not appear to be established. No names were given in the report; persons whose statements were quoted were indicated by cipher.

<sup>1</sup> *Official Journal*, VIII, p. 378.

<sup>2</sup> *Report of the Special Body of Experts on Traffic in Women and Children. Part I* (C. 52. M. 52. 1927. IV. 2).



The report of the committee on its session's work brought the matter before the Council again on June 16. The Council invited Governments to send in their comments on Part II of the report of the Special Body of Experts, by the end of September to be considered at a meeting of experts.

The Special Body of Experts met at Geneva for this purpose November 15-27. On December 5<sup>1</sup> the Council considered the second part of the report as amended in the light of observations made by 19 Governments and information sent by another Government through a member of the Body. On the proposal of the British representative, the Council authorized the immediate publication of the revised report, including the observations of Governments and the comments of the experts. The rapporteur said that the Body of Experts had endeavored to give effect as far as possible to corrections of fact or other modifications suggested by Governments, some of which had criticized the methods of inquiry and conclusions, others confirming the general accuracy of its report. In several countries the position had changed for the better since the inquiry was begun, and legislative and administrative measures had been taken to cope with the evil dealt with in the report. A suggestion of the experts that it might be useful to extend the inquiry to countries which had not yet been visited was referred to the Traffic in Women Committee.

The second part of the report<sup>2</sup> contains facts about the traffic in 28 countries, namely, Algeria, Argentina, Austria, Belgium, Brazil, Canada, Cuba, Czechoslovakia, Danzig, Egypt, France, Germany, Great Britain, Greece, Hungary, Italy, Latvia, Mexico, Netherlands, Panama, Poland, Portugal, Rumania, Spain, Switzerland, Tunis, Turkey, United States and Uruguay. Visits were paid to 112 large cities in these countries, including the capitals and principal ports. The results of a preliminary survey in six other countries — the British West Indies, Denmark, Morocco,

<sup>1</sup> *Official Journal*, IX, p. 116.

<sup>2</sup> *Report of the Special Body of Experts on Traffic in Women and Children. Part Two.* (C. 52 (2). M. 52 (1). 1927. IV. 2<sup>II</sup>.)

Norway, Palestine and Sweden — did not at the time appear to warrant fuller study.

**Other Questions.** At the sixth session of the committee, because certain countries had not submitted annual reports for 1925, it took measures for Governments to be reminded each year to send in their reports in time for its annual meeting.

The American Social Hygiene Association had undertaken to prepare a digest of laws and regulations relating to the traffic. The committee decided that this digest, which was nearly finished, should be sent in proof to Governments, to enable them to review and, if necessary, complete the text.

The committee considered the progress of its inquiries on licensed houses, the expulsion of foreign prostitutes and the employment of women police. In respect to the first of these, the Assembly requested the committee "to examine as soon as possible the question of the desirability of recommending to all Governments the abolitions of the system of the licensed house."

Comparatively few Governments had replied to its questionnaire on obscene publications, and the committee recommended that the Council should invite Governments which had not already done so to ratify or adhere to the international convention for the suppression of the traffic in obscene publications of 1923.<sup>1</sup>

## 2. CHILD WELFARE

The third session of the Committee continued the work already begun on several subjects which had been under examination. Its program won the appreciation of the Assembly, which requested it to continue its activities along the lines now being followed, which were felt to be of practical value to Governments.

It has undertaken an inquiry on the effect of moving pictures on children and the Council approved <sup>2</sup> the sending

<sup>1</sup> League of Nations, *Treaty Series*, XXVII, p. 217.

<sup>2</sup> *Official Journal*, VIII, p. 782, 912.

of a questionnaire to Governments on the subject. This deals with the exchange of information on films and the better circulation of those specially suitable for children.<sup>1</sup>

The committee considered a report from its Legal Subcommittee on its work on draft conventions relating to the relief and repatriation of minors and to the enforcement of the obligation to provide maintenance when the parents were not resident in the same country as their children. The questionnaire on the draft conventions had been answered by the Belgian, American, French, British and Rumanian Governments, by the International Labor Office and the International Child Welfare Association. The International Union of the Save the Children Fund informed the committee that it had undertaken a special inquiry on the subject. The committee decided to recommend that other states should be invited to answer the questionnaire as soon as possible in order that the Legal Subcommittee could submit a comprehensive report on the subject.

The Council, at the Committee's request, instructed the Secretary-General to send to all states a questionnaire bearing on the rights and obligations of parents toward illegitimate children, affiliation proceedings, the legitimization of illegitimate children, the maintenance, inheritance or succession rights of illegitimate children, the official guardianship and the moral and material protection of illegitimate children.<sup>2</sup>

The question of the mental and physical recreation of the child was carefully considered by the Committee, which decided to appoint a certain number of rapporteurs to collect information for discussion at a later session.

As regards the protection of life and health in early infancy the committee noted a report from the League Health Section on the work of the Subcommittee of Experts on Infant Hygiene. It requested the Health Organization

<sup>1</sup> See also p. 128 [ 288].

<sup>2</sup> *Official Journal*, VIII, p. 915.

to refer to it all documents dealing with the social aspect of the question.

The question of family allowances was dealt with in a report from the International Labor Office,<sup>1</sup> which the committee requested to continue its investigations and furnish a further report.

On the subject of juvenile courts, the committee, after hearing a statement by Professor van der Aa, secretary-general of the International Prison Commission on the inquiry conducted by that commission, instructed the Secretariat to submit a report at its next session.

The question of blind children was fully dealt with in a report presented by François Martin, assistant delegate of France. The committee decided to examine at its next session any reports which specialized associations might submit.

### 3. PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST

A final report on the five years' work of the Aleppo Branch of the Commission for the Protection of Women and Children in the Near East was presented to the Assembly by Miss Karen Jeppe in compliance with the request made at the Seventh Assembly. The commission was originally constituted as a Commission of Inquiry into deportations of women and children in the Far East, the actual rescue work beginning in March, 1922. In all, 1600 people have been rescued at an expense of a little over £18,000 — an average cost of £11 5s. per head, including cost of administration, maintenance of the rescue home, board, clothing, medical care, education and the settling on the land of some of the refugees. Seventy-five per cent of the rescued succeeded in getting into touch with relatives and 400 have become self-supporting.

<sup>1</sup> *Minutes of the Third Session of Child Welfare Committee*, p. 59 (C. 347. M. 121. 1927. IV).



## X. RELIEF OF DISTRESS AND REFUGEES

### 1. Conference Establishing an International Relief Union

The Conference for the Establishment of an International Union<sup>1</sup> for the relief of populations stricken by disaster, summoned on the Council resolution of December 10, 1926, met at Geneva July 4-12, when it framed a convention, statutes and final act. The President, who was appointed by the Council, was M. Kulz, member of the Reichstag and former minister.

Delegates from the following 41 countries took part in the conference: Abyssinia, Afghanistan, Austria, Belgium, Bolivia, Bulgaria, China, Colombia, Cuba, Czechoslovakia, Danzig, Denmark, Egypt, Ecuador, Finland, France, Germany, Great Britain, Greece, Guatemala, Hungary, India, Irish Free State, Italy, Japan, Latvia, Monaco, Nicaragua, Liechtenstein, New Zealand, Poland, Portugal, Rumania, San Marino, Serb-Croat-Slovene State, Spain, Sweden, Switzerland, Turkey, Uruguay and Venezuela.

The International Committee of the Red Cross and the League of Red Cross Societies sent official representatives in an advisory capacity; members of the Preparatory Committee of the conference attended as experts. The Military Sovereign Order of the Knights of Malta sent an observer.

**The Convention.** The Union<sup>2</sup> is constituted between states, on the principle of official international solidarity and mutual aid in case of disaster, even though the idea of insurance has been completely abandoned. Each state member of the union undertakes to contribute to the establishment of an initial fund a share equal to 700 Swiss francs for each unit in its quota of the League budget. Its remaining resources will be purely voluntary in character, and with their aid it will be possible constantly to replenish

<sup>1</sup> See also *Yearbook*, p. 566; *Sixth Yearbook*, p. 317; *Seventh Yearbook*, p. 342.

<sup>2</sup> Convention and statute, *Official Journal*, VIII, p. 997.

the initial fund. One of the practical advantages will be the ability to send first aid immediately without waiting for the result of appeals to the public in case of disasters. It is this prompt dispatch of first aid which is lacking at a time when it would be most useful, namely, the period immediately following the disaster. In addition to rendering first aid, the object of the Union is to coordinate the efforts of relief organizations in the event of disaster, to encourage the study of preventive measures against disasters, and to induce all peoples to render mutual international assistance.

Although the Union has been constituted between states, it contemplates an extremely close cooperation with nonofficial organizations, in particular with the Red Cross Societies. States which desire to do so may be represented in the Union by their national Red Cross Society.

The International Relief Union will operate for the benefit of all stricken peoples regardless of race, nationality, or political or religious considerations. Its activities will nevertheless be limited to disasters occurring in the territories of members of the Union, or of a nature to affect these territories. The Union will have its seat in Geneva. It will be able to sue or be sued, and to acquire, with or without consideration, and to possess property of any kind, subject to the law of the country concerned.

In addition, the resources of the Union will consist of voluntary grants that may be made by Governments, private contributions, and donations and bequests. The financial responsibility of states members of the Union will be confined to the obligation to contribute to the initial fund. The contracting parties will undertake to accord to the Union and to organizations acting in its name, all immunities, facilities and exemptions for their establishments, for the movements of their staffs and supplies, for relief operations and for the publicity of appeals. The convention provides for the settlement by negotiation or by arbitral or judicial procedure (in the latter case through the Permanent Court of International Justice) of any

differences which may arise between states regarding the application of the convention.

The convention is open for signature until April 30, 1928. From May 1 of the same year it will be open for accessions. It will come into force when ratified or acceded to by 12 states, and when the combined contributions amount to 600 shares (420,000 Swiss francs).

Under the statutes adopted, the Union will be directed by a General Council, which will appoint an Executive Committee. The General Council will meet every two years, will serve as the deliberative and constitutional body, will be competent to deal with all affairs of the Union and will be composed of one delegate each from all the members of the Union. Members may be represented by their national Red Cross Society. The Secretary-General of the League of Nations may attend or be represented at all meetings of the General Council and the Executive Committee. Decisions will be by majority vote.

The Executive Committee will be composed of seven members appointed by the General Council for two years, and two representatives of the international organizations of the Red Cross in an advisory capacity. It will meet at least once a year, administer funds and represent the Union in its dealings with the League, with Governments, and with organizations. It will have power to act on behalf of the Union and to organize relief. It will prepare an annual report which will be communicated to the members of the Union and to the Council and Assembly of the League of Nations.

**The Conference.** The International Committee of the Red Cross and the League of Red Cross Societies, represented at the conference, approved the convention and expressed their readiness to discharge the tasks they might be called upon to perform in pursuance of its terms.

The International Committee of the Red Cross adhered to the work of the conference. T. B. Kittredge (American) of the League of Red Cross Societies recalled that its Board of Governors approved the declaration that the league

could be counted upon to assume its share of the burdens of the Secretariat of the International Relief Union, if called upon. The League of Red Cross Societies was prepared, in conformity with Art. XIV of the Statutes, to provide at its own expense such part of the permanent and central services of the International Relief Union as the Executive Committee of the Union might see fit to confide to it.

As to the American Red Cross, Mr. Kittredge said that, if the Government of the United States adhered to the convention, it would automatically assume the functions that would be delegated to it by its Government. In that event the American Red Cross would act as an integral part of the machinery of the Union. If, however, the Government of the United States did not become immediately a signatory of the convention, the American Red Cross still desired that, in international relief action, it should collaborate as closely as possible with the services of the Union. It was prepared to operate through the machinery of the Union in whatever relief action it undertook.

## 2. Refugee Problems

The refugee problem has been before the League since 1920. It first presented itself as a task of repatriating or caring for hundreds of thousands of persons whom the war had torn from their own homes and driven into other countries. The influx of these disorganized and destitute masses of humanity into several countries created a special problem. Dr. Fridtjof Nansen, under the auspices of the League, met those conditions with aid provided by various states, and now for several years has been working on the second phase of the problem, which concerns improving the anomalous status of the refugees, their employment and settlement. In order the better to cope with this phase of the problem, the League has maintained Dr. Nansen as High Commissioner for Refugees, but has intrusted the International Labor Office with solving the employment phase of the present problem.



**Armenian Settlement.** A scheme for settling Armenian refugees in the Republic of Erivan was investigated under the auspices of the League during two years. Dr. Nansen visited Armenia with a committee of experts and drew up plans for irrigating land for settlement, and a special commission appointed by the Council in 1925 and its technical experts spent several months in the country. Their reports <sup>1</sup> give in detail the technical irrigation scheme, its costs and possibilities, and general information as to the financial and economic situation in Armenia. To launch the scheme £1,500,000 is necessary. Owing to conditions in the Union of Socialist Soviet Republics, to which Armenia is affiliated, it is not possible to obtain this money by means of a public loan of the kind with which the League has hitherto been associated. The League therefore limited its association with the scheme to stating that, if the money required to finance the operation is forthcoming, it would undertake to supervise the due expenditure of the money.

The question was discussed by the Council on June 16 and 17.<sup>2</sup> Dr. Nansen said that there were approximately 250,000 Armenian refugees in Greece, Bulgaria, Constantinople and Syria, many of whom were in a miserable condition. He had suggested that, if the Armenian Government could raise the necessary funds for the irrigation of the area contemplated for settlement, he would endeavor to obtain the money for the transport and establishment of about 30,000 refugees. This would involve expenditure of about £300,000, one-third of which had been promised by Armenians in Europe and America. The question now arose whether it would be possible to raise the rest of the money. The Armenian Government had not so far given a final reply.

The Council decided that the minutes of its discussions and any further documents which Dr. Nansen might think desirable should be circulated to all Governments; that its

<sup>1</sup> *Scheme for the Settlement of Armenian Refugees. General Survey and Principal Documents.* (C. 699. M. 264. 1926. IV. 1927. IV. 1.)

<sup>2</sup> *Official Journal*, VIII, p. 773, 792.

members should invite their Governments to examine with sympathy Dr. Nansen's proposals, subject to satisfactory undertakings by the Armenian Government as to the irrigation of the settlement area.

On September 22 Dr. Nansen stated to the Council that a provisional promise from the Armenian authorities had not been fulfilled and that he was unable to get a confirmation of the agreement from the Armenian Government. It, therefore, appeared useless to him "to make further efforts to secure the realization of the plans to which so much time and attention had been given, unless at this present Assembly some new prospect is opened of material help." <sup>1</sup>

The representative of Rumania proposed a further appeal to all Members of the League to which would be attached the minutes of that meeting of the Council. This was done. By December the Rumanian Government had offered £1,000 and the Greek Government had offered to pay 25% of the cost of transporting Armenian refugees to the Caucasus.

The Armenians in the French mandate of Syria were being cared for to some extent. At the beginning of 1927 there were 90,000 Armenian refugees in Syria, 40,000 of whom were in camps and needed assistance. A joint Armenian Subcommittee attached to the High Commissioner drew up settlement schemes and constituted a revolving fund, to which the Lebanon Government contributed £25,000 and £10,000 was provided by the High Commissioner or philanthropic organizations. The Eighth Assembly had before it a report on this work and expressed the hope that the necessary additional funds would be secured and that the refugees in Syria would be adequately taken care of, with the continued cooperation of the mandatory state.

**Placement of Refugees.** Proposals were received by the International Labor Office both from South American Governments and responsible private enterprises in Argen-

<sup>1</sup> *Official Journal*, VIII, p. 415.

tina, Bolivia, Brazil, Paraguay and Peru, to receive 30,000 refugee immigrants for land settlement in return for an advance of some £20 per head from the revolving fund. A second Inter-Governmental Conference<sup>1</sup> in Geneva on June 15 and 16, 1927, therefore, approved in principle overseas settlement for Russian and Armenian refugees, and expressed the hope that the Governments at present expending large sums for the maintenance of refugees would find it possible to adopt one of the means recommended by the Inter-Governmental Conference for advancing the necessary emigration expenses. The application of the recommendations would enable the interested Governments to eliminate from their budgets in a comparatively short space of time the heavy annual expenditure of £2,000,000 at present incurred by them for the maintenance of unemployed refugees without involving themselves in any absolute capital expenditure.

The Assembly urged Governments to inform the High Commissioner what measures they were prepared to take for financing the settlement of refugees from their territories. Germany had already promised a first contribution of 100,000 R.Mks. to the revolving fund. The Czechoslovak, Polish and Serb-Croat-Slovene Governments were willing to participate in this scheme.

<sup>1</sup> League of Nations, A. 30. 1927. XIII. 1.

## XI. COMMUNICATIONS AND TRANSIT

### 1. Third General Conference

The Third General Conference on Communications and Transit met at Geneva August 23–September 2. Aristides de Agüero y Bethancourt (Cuba) was president. The conference is a triennial fixture of this technical organization. The third conference did not undertake the elaboration of any general conventions, as its predecessors had. It was the first occasion of a general conference meeting with “the main object of supervising and bringing to the highest point of efficiency the methods of international coordination utilized by the League of Nations in the domain of transports.” Apart from the Governments represented, the presence in an advisory capacity of a very large number of international organizations helped to give this conference its particular character and to make it an instrument for the general coordination of international activity.

The conference was attended by representatives of 41 countries, including four non-Members of the League.

There were also present in an advisory capacity, besides representatives of the Saar Governing Commission, delegates from the following:

Members of the Advisory and Technical Committee for Communications and Transit, Experts appointed by the Advisory and Technical Committee for Communications and Transit, Permanent Technical Hydraulic System Commission of the Danube, International Elbe Commission, International Oder Commission, Central Commission for Rhine Navigation, International Railway Union, International Central Railway Transport Office, International Chamber of Commerce, International Shipping Conference, International Federation of Transport Workers, Christian Union of Transport Workers, International Labor Office, International Broadcasting Union, International Air Traffic Association, International Commission for Air Navigation, International Technical Committee of Legal Experts for Air Navigation.



The conference set up three committees to study:

1. The question of the collection and exchange of general information on communications and transit. Chairman, Hugh R. Wilson (United States).

2. The question of identity documents for persons without nationality. Chairman, M. de Ruelle (Belgium).

3. The revision of the Rules of Organization and the Rules of Procedure of the Organization on Communications and Transit. Chairman, Gustavo Guerrero (Salvador).

**General Resolutions.** The conference in a resolution introduced by the International Shipping Conference drew the Council's attention to the urgent necessity of obtaining further ratifications to the general conventions concluded by the previous conferences. Signatures or accessions not yet followed by ratifications were:

Convention and statute on freedom of transit, Barcelona, 1921-13;

Convention and statute on the régime of navigable waterways of international concern, Barcelona, 1921-17;

Convention and statute on the international régime of railways, Geneva, 1923-24.

Convention and statute on the international régime of maritime ports, Geneva, 1923-18.

A resolution, submitted by the Hungarian delegation and amended by the French and German delegations, recognized the extreme importance of freedom of transit not being interfered with by grave occurrences of a general character affecting routes of communication, and recommended that the Advisory Committee should make an exhaustive study of means of insuring, as far as possible, the maintenance of international transit by the preconcerted utilization of alternative routes.

On the Latvian delegation's proposal, the Advisory Committee was asked to examine the position which arose when considerations of an international character obstructed the freedom of communications and international transit and created a situation calculated to paralyze and impoverish economic life.

**Revision of Rules.** The conference revised the rules of organization and the rules of procedure of the Transit Organization in the light of the experience gained since the Barcelona Conference of 1921. The new text does not differ essentially from the former one, the object being merely to legalize the established practice. One provision due to the presence of non-Members of the League required and received the approval of the Assembly. This was the recognition that non-Members of the League represented in the Organization might be appointed to serve on the Advisory and Technical Committee, their number not to exceed one-third of the number of the members of the Organization which are not Members of the League.<sup>1</sup>

**Identity Documents.** A Committee of Experts met at Geneva, January 12-13 to study the question of identity documents for persons without nationality and to give effect to a recommendation of the passport agreement of May 18, 1926. The discussions in the conference of this committee's proposals revealed the complex nature of the problem, but they were adopted. They are similar to those adopted by previous conferences in regard to passports.

The conference recommended<sup>2</sup> that traveling facilities should be accorded, by the issue of a uniform type of document, to persons who are without nationality or of doubtful nationality in consequence of the war or for causes arising directly out of the war, the nondelimitation of frontiers, or a conflict of laws, pending international settlement of this matter, such document to be based on the international type of passport recommended in the final act of the Passport Conference, signed at Geneva on May 18, 1926, and to be entitled "Identity and Traveling Document." The Government issuing an identity and traveling document should be entitled to extend its validity or to renew it; the authorities of the country in which the holder of the document happened to be might issue a new document and should withdraw that which had expired.

<sup>1</sup> *Official Journal*, VIII, at p. 1605.

<sup>2</sup> Same, p. 1611.

The validity of the document should, in principle, be six months, and it should be good for all countries or for as many countries as possible.

**Collection of Information.** The conference made an exhaustive study of the question of the collection and exchange of general information on communications and transit, the utility of which had been pointed out by the Assembly in 1926. The United States delegation took an active and important part in this work, the head of the delegation being chairman of the committee. In a statement to the committee on August 27, Norman F. Titus emphasized the importance of the conference, and particularly the exchange of information, to the United States. He said that the entire American delegation intended to urge, "with all the power and influence that it possesses," that the United States should henceforth be represented at commercial conferences of the League of Nations and also at those convened by other international bodies.<sup>1</sup>

The resolution adopted by the conference on September 2, and approved by the Assembly, consisted of a general decision and of detailed suggestions as to the kind of information which might be collected on ports and maritime navigation, inland navigation, railways, electric questions, road traffic and air navigation. This information should bear upon agreements between states, bills published, acts and regulations in preparation; it should further include general data as to work planned or proceeding, statistics, etc. The general decisions imply an expenditure up to 100,000 Swiss francs and lay down general principles.<sup>2</sup>

## 2. Advisory and Technical Committee

The Advisory and Technical Committee on Communications and Transit met during 1927 as follows:

10. Geneva, February 28–March 5.

11. Geneva, August 19–22.

<sup>1</sup> *Third General Conference on Communications and Transit, Vol. II, p. 19 (c. 558 (a). M. 200 (a). 1927. VIII. 15<sup>II</sup>).*

<sup>2</sup> Same, p. 52.

The committee is elected by the conference. It is composed of 18 members, five appointed by the permanent Members of the Council and 13 by states selected by the conference according to the principle of geographical representation and the technical interests of the Transit Organization. The members thus elected hold office until the next General Conference holds elections. The members appointed by the Third General Conference are: Argentine Republic, Austria, Colombia, Greece, Latvia, Netherlands, Panama, Portugal, Salvador, Serb-Croat-Slovene State, Siam, Sweden and Switzerland.

**Ports and Maritime Navigation.** The Permanent Committee for Ports and Maritime Navigation held its third session in London February 3-5.

*Maritime Tonnage Measurement.* The committee contemplated an investigation of this problem on very broad lines. It would be advisable, in the first place, to examine ways and means of securing a more satisfactory cooperation of the administrations concerned with a view to the application of existing methods and regulations. Such cooperation, the need of which is especially felt in the maritime countries of continental Europe, could only be provided for by correspondence between the competent authorities. The committee also considered the possible effects of a change in the regulations and methods so far as the dues payable in ports were concerned.

The Technical Committee for Maritime Tonnage Measurement continued the study of the question, holding its first session at London April 5-8. On July 5-15 a sub-committee met at London and drew up a provisional report for the committee. The committee itself has considered all questions relating to gross tonnage, except those concerning open shelter-deck vessels and open superstructures, and has begun to study net tonnage problems.

*Inland Navigation.* The Committee on Statistics in Inland Navigation met at Geneva from May 16-21 and from October 12-17 to consider the question of the unification of commercial statistics in European inland navigation,



with a view to rendering more easily comparable the figures given by the various countries.

An inquiry regarding inland navigation in Europe was closed with a detailed study of important problems of inland navigation concerning Poland, in which country a special mission of experts examined on the spot — in agreement with the Polish Government — the conditions for the construction of various canals, the regulation of the Vistula, the routes of access to outlets on the Baltic, the drainage of the Polesian marshes, etc. With the report submitted on this question and communicated to all Governments, the Advisory Committee, in conformity with a resolution of the Genoa conference of 1922, entered upon the path of providing practical assistance to Governments with a view to the economic reconstruction and development of Europe.

*Private Law.* The Committee on Private Law in Inland Navigation at its third session, June 2-4, considered that the question of damages as the result of collision, the question of the nationality of ships engaged in inland navigation and the question of registration, are comparatively ready for international examination. The work of the committee is being continued on the questions of privileges, mortgages, etc.

*Buoyage and Lighting of Coasts.* The committee communicated the final report of the Technical Committee for Buoyage and Lighting of Coasts to the Governments of all maritime countries. The technical committee recommended measures aiming at the establishment of uniform regulations for luminous signals, port signals and buoys. After the receipt of any observations of the Governments concerned, the Advisory Committee will take measures to further either a general international agreement or regional agreements between Governments.

A subcommittee of the Committee on Buoyage and Lighting of Coasts met at Stockholm June 27-July 3 to test the so-called cardinal system of buoyage, in regard to which provisional regulations had been drawn up by the committee in August, 1926.

*Treatment of Masters and Crews in Ports.* The committee decided to draw the attention of Governments to the necessity of giving captains and crews in ports all reasonable facilities for going ashore, so long as legislation concerning police regulations, emigration, etc., were complied with.

**Combined Transport.** The first session of the Subcommittee on Combined Rail and Air Transport was held at Geneva on August 8-9. There appeared to be no insuperable obstacle to the organization of combined rail and air transport with a single transport document for the whole journey. It asked the International Railway Union and the International Air Traffic Association for additional information as to the conditions governing such a document. As the introduction of a single transport document might take some time, the subcommittee recommended in the meantime the general adoption, subject to slight modifications, of a system in use in Germany. According to this system, the sender enters into one contract with the air transport company, which concludes secondary contracts with the other transport companies.

The Subcommittee for Combined Traffic between Railways and Enterprises other than Railways met in Dresden June 24-25. It examined the question of combined transport by rail and by water, with special reference to the Rhine, the Elbe and the Danube. It considered the various difficulties in the way of combined transport, in particular those concerning the responsibility of the contractor, joint tariffs and single transport contracts.

**Road Traffic.** The fourth session of the Permanent Committee on Road Traffic was held in Vienna from April 25 to 28 at the Ministry of Commerce and Communications, and its fifth at Geneva November 23-26.

The committee was of the opinion that, in the interests of safety, the endeavors made with a view to the unification of the "rule of the road" should be supported. Such unification might be realized in a not too distant future, as far as continental Europe was concerned. It adopted a resolution recommending the general adoption of right-

hand traffic as the most expedient and feasible solution of the problem in European states, this rule having already been applied by the majority of these states. The committee examined the question of road signals.<sup>1</sup>

**Memel Harbor Board.** The annual report of the Memel Harbor Board for 1926, was examined in the presence of Y. Kjelstrup, the member appointed by the Committee on Communications and Transit, by that committee during its 11th session. The import and export traffic in the Port of Memel tended to increase during the year. A considerable number of works were undertaken, and the port was put in normal working order. Revenues were approximately equal to those of the past year and expenses were reduced by one third. This report is the first to be unanimously adopted by the members of the board, and without reservation by the Member appointed by the League.

### 3. The Straits Commission

By Art. 15 of the convention relating to the Straits signed at Lausanne, July 24, 1923, the Straits Commission performs its functions under the auspices of the League and makes an annual report to the Council. The second report of the commission was presented to the Council on June 16 and covered the year 1926.<sup>2</sup>

The convention in question lays down the detailed rules for what amount to the neutralization of the Dardanelles, Sea of Marmora, and Bosphorus. In peace and war the commission is intrusted with administration under these rules.<sup>3</sup>

One of the interesting developments brought out by the report was whether the Turkish Government is under obligation to report the passage of its own vessels through the Straits. It having come to the commission's attention that Turkish warships had passed through without a report,

<sup>1</sup> *Report of the Permanent Committee on Road Traffic regarding Road Signalling.* League of Nations, C. 15. M. 8. 1928. VIII. 1.

<sup>2</sup> *Official Journal*, VIII, p. 778.

<sup>3</sup> *Treaty Series*, XXVIII, p. 115.

this matter was called to the attention of the Turkish Government, which contended that the duty to report passage applied only to foreign naval forces. The Angora Government added that it would be willing to furnish the information as a matter of courtesy, "if Turkey were to establish the strongest fleet in the Black Sea." The commission did not regard this reply as satisfactory and requested the Turkish Government to inform it of the passage of Turkish warships through the Straits as a matter of courtesy.

The question of action upon the report of the commission was decided by the Council. The Council in principle reached the conclusion that the reports of the Straits Commission should be forwarded to the Members of the Council and to the states signatory to the convention as soon as they were received and for their information to all states Members of the League. It is contemplated that any action required by the Council will be initiated by the states signatories to the convention.

In its first report the commission made a point of not having received information as to the naval forces of the Soviet Union in the Black Sea. It was not until December 16, 1926, that a first report from that Government was received.<sup>1</sup> That report was as of July 1, 1926. Subsequently the Soviet Union reported its naval strength on January 1, 1927, in a much modified form.<sup>2</sup>

<sup>1</sup> *Official Journal*, VIII, p. 318.

<sup>2</sup> Same, p. 630.



## XII. MANDATES

### Permanent Mandates Commission

Most of the mandated territories were former German colonies. On Germany's admission to the League a public discussion arose as to the propriety of German representation on the Commission which is composed of members "selected for their personal merits and competence," not holding any "position of direct dependence on their Governments." The Seventh Assembly had passed a budget providing for an additional member of the Commission.

The Council consulted the Commission, which in the report of its 11th session unanimously observed <sup>1</sup> that this question was of political significance, and that accordingly, the Council, in applying to a body whose character was fundamentally technical, could only desire it to state whether there were any technical objections to this proposal. The majority concurred in the view that there was no technical objection, the minority stating that it would welcome whatever decision the Council might take, but would abstain from expressing an opinion on account of the political character of the question.

On September 8 the Council amended the Rules of Procedure of the Commission so as to increase its membership from nine to ten, and on September 9 it appointed Dr. Ludwig Kastl a member of the Commission. Dr. Kastl was in the German colonial service in South West Africa from 1910 to 1920.<sup>2</sup>

**Meetings.** The Commission met twice during 1927:

11. Geneva, June 20–July 6.<sup>3</sup>

12. Geneva, October 24–November 11.<sup>4</sup>

<sup>1</sup> *Official Journal*, VIII, p. 1257.

<sup>2</sup> Same, p. 1132.

<sup>3</sup> *Permanent Mandates Commission. Minutes of the Eleventh Session.* C. 348. M. 122. 1927. VI; Report, *Official Journal*, VIII, p. 1256.

<sup>4</sup> *Minutes of the Twelfth Session.* C. 545. M. 194. 1927. VI. A. 10.

**Examination of Reports.** At the 11th session of the Commission it examined annual reports on Nauru, French Cameroons and Togoland, New Guinea, Tanganyika, South West Africa, Palestine, Syria and Lebanon mandates in the presence of the mandatory's representatives.

The agenda of the 12th session included the annual reports on Iraq, Cameroons, Togoland, Ruanda-Urundi, Samoa and Pacific Islands under Japanese Mandate.

The commission commented favorably upon the responsible character of the accredited representatives of the mandatories during both sessions.

The actual examination of the reports brought out many details of administration of a technical and routine character and the commission specified in most cases a desire for more specific information on points peculiar to the various territories.

### **Mandated Territories**

**Iraq.** When the Principal Allied and Associated Powers allocated mandates in 1919, it was contemplated that Iraq, then known as Mesopotamia, should be an "A" mandate. However, a monarchical form of government was established and the inhabitants exhibited so much ability in handling their own affairs that a treaty of alliance was concluded on October 10, 1922, with the British Government, which was the designated mandatory. Still other treaties followed and there was no definite confirmation of a mandate by the Council. On September 27, 1924, however, the Council adopted a resolution embodying a unilateral undertaking of the British Government which defined its responsibility as mandatory in the transitional period. On December 14, 1927, Iraq and the United Kingdom signed a treaty to replace that of October 10, 1922. By Art. 1 of this treaty "his Britannic Majesty recognizes Iraq as an independent and sovereign state."

By Art. 8, "provided the present rate of progress in Iraq is maintained and all goes well in the interval, his Britannic

Majesty will support the candidature of Iraq for admission to the League in 1932." Iraq undertakes to accede to all general international agreements concluded with the approval of the League of Nations with respect to various matters; undertakes to execute the provisions of the Covenant and certain other treaties so far as they apply to Iraq and to cooperate in social, humanitarian and other activities "in the execution of any common policy adopted by the League of Nations."

With respect to Great Britain, the position of the High Commissioner is defined and provision is made for the supersession of financial, military and judicial agreements. An interesting provision is that "any differences that may arise between the high contracting parties as to the interpretations of the provisions of this treaty shall be referred to the Permanent Court of International Justice."

**Syria and Lebanon.** Art. 1 of this mandate provides for an Organic Law, which had not been promulgated. On March 12 the French representative stated to the Council <sup>1</sup> that the mandatory state was actively pursuing its efforts so as to issue such a law. The cause of the delay was explained as due to the first necessity of promoting agreement among the populations concerned and reconciling their conflicting desires as regards the statute. The diversity of the communities inhabiting these territories, their conflicting rights, interests and wishes, and the desire expressed by several of them for an autonomous political régime rendered this task extremely difficult, especially after the events which in 1926 so profoundly disturbed the peace and threatened public security. For these reasons the framing of the Organic Law had not progressed beyond the stage at which it was found possible to bring into harmony the interests of the previously constituted autonomous states. A provisional statute, therefore, had been drawn up for each of those districts in which a sufficient measure of agreement has been reached among the various groups of inhabitants.

<sup>1</sup> *Official Journal*, VIII, p. 417.

On September 8,<sup>1</sup> the Council expressed satisfaction that the revolt in the Djebel Druse had come to an end and hoped that, as a result of the negotiations with the Syrian and Lebanese authorities, the mandatory would be in a position to proceed, within a reasonable time, to the promulgation of the Organic Law.

### Status of Mandate

At its 10th session in October, 1926, the Commission noted that on June 22, 1926<sup>2</sup> an agreement had been concluded on the frontier between the mandated territory of South West Africa and the Portuguese colony of Angola by the Government of the Union of South Africa and the Portuguese Government. The second paragraph of the preamble of this agreement reads:

And whereas under a mandate issued by the Council of the League of Nations in pursuance of Art. 22 of the treaty of Versailles, the Government of the Union of South Africa, subject to the terms of the said mandate, possesses sovereignty over the territory of South West Africa (hereinafter referred to as the territory) lately under the sovereignty of Germany.

In its report to the Council the Commission expressed its doubt whether the expression "possesses sovereignty," even when limited as in the above passage, could be held correctly to define, having regard to the terms of the Covenant, the relations between the mandatory power and the territory placed under its mandate. On March 7 the Council instructed the Secretary-General to transmit this opinion to the Union of South Africa.<sup>3</sup>

The Commission called attention to the matter again in the report on its 11th session because it seemed to imply a legal claim "not in accordance with the fundamental principles of the mandates system." It had also come to

<sup>1</sup> *Official Journal*, VIII, p. 1119.

<sup>2</sup> Great Britain, *Treaty Series*, No. 29 (1926).

<sup>3</sup> *Official Journal*, VIII, p. 347, 426.



attention that the Prime Minister had reiterated in Parliament a decision of the Supreme Court of South Africa that "the *majestas* or sovereignty over South West Africa resides neither in the Principal Allied and Associated Powers, nor in the League of Nations, nor in the British Empire, but in the Government of the Union of South Africa." As a consequence, the Commission was "anxious to know the exact meaning which is to be attributed to the expressions referred to" and whether the term "possesses sovereignty" implies "that the Government of the Union regards itself as being sovereign over the territory itself." <sup>1</sup>

On September 8 the rapporteur of the Council stated that, owing to the provisions and decisions affecting the mandated territories, the legal relationship between the mandatories and the territories under mandate "is clearly a new one in international law, and for this reason the use of some of the time-honored terminology in the same way as previously is perhaps sometimes inappropriate to the new conditions." <sup>2</sup>

### Petitions

At the 11th session the Commission examined petitions relating to Palestine, Syria, Lebanon, French Togoland and South West Africa, and at its 12th session those regarding Palestinian nationality from Arabs living in Honduras, Salvador and Mexico, a petition from members of the Rehoboth Community (South West Africa) and a petition concerning certain Adjijo Tribesmen (French Togoland). The conclusions reached with regard to these were the subjects of separate reports.

Petitions were also considered at this session from the Executive Committee of the Palestine Arab Congress, the Zionist Organization, the Ashkenazee Community of Jerusalem, and the Syro-Palestinian Committee. These dealt with grievances concerning Jewish immigration, self-government, land tenure, languages and the rights of religious minorities.

<sup>1</sup> *Official Journal*, VIII, p. 1262.

<sup>2</sup> *Same*, p. 1120.

### XIII. ADMINISTRATION OF TERRITORY

#### 1. Saar Basin

**Governing Commission.** George W. Stephens (Canadian), resigned from the commission to take effect as from March 31, 1927. Mr. Stephens was appointed a member of the Governing Commission in September, 1923. He was at first in charge of the Department of Finance and Food Supply. He was appointed chairman in March, 1926, in charge of the Departments of Foreign and Home Affairs.

Sir Ernest H. Wilton, former British minister in Latvia and Estonia, succeeded him on June 20 as chairman and member of the Saar Governing Commission until March 31, 1928.

The other members of the commission continued in service during the year.

The Governing Commission, which has charge through its individual members of the entire administration of the territory, renders detailed reports quarterly to the Council of the League.<sup>1</sup>

**Railway Defense Corps.** In accordance with a Council resolution of March 12, 1927, the Governing Commission organized a Railway Commission and a Railway Defense Force and the French military force known as the "Saar Garrison" has been disbanded. The Governing Commission engaged in negotiations with the powers occupying the left bank of the Rhine with a view to the constitution in the territory of a Railway Defense Force of 800 men. The French Government agreed to furnish 630 men, the British Government 100, and the Belgian Government 68. The Belgian and British contingents entered Saarbruck on July 11. The military buildings vacated have been placed at the disposal of the Saarbruck municipal authorities and social welfare organizations.

<sup>1</sup> The 29th to 32nd periodical reports cover the year 1927; see *Official Journal*, VIII, p. 679, 1044.

These arrangements finally disposed of the problem of French troops quartered in the territory, of whom there were 7,977 on February 1, 1920. By 1922 this force had been reduced by two-thirds and thereafter steady pressure by the Council was exerted for their complete removal. The first positive action was on a report of the Commission dated January 28, 1926,<sup>1</sup> and the final resolution accepted the terms of a report dated February 18, 1927.<sup>2</sup> The question had narrowed down to the insurance of freedom of transport and transit over the railroads. As this was in the interest of the parties to the treaty of Versailles, it was held that the expense should not fall upon the Saar Basin. The Railway Defense Force has no responsibility for order in the territory, being for the sole purpose of protecting railroad service. A Railway Committee of not more than 100 persons is maintained to manage the details connected with the service. Normally the railways are under the control of their own personnel, but if this should fail the committee would be instructed by the Governing Commission to assume full charge.

**Administrative Details.** The Advisory Council and the Technical Council, which are bodies established to give the Governing Commission opportunity to consult with elected representatives of the people, continue to function effectively.

The housing control, which ceased in 23 communes during the second quarter of 1927, was brought to an end on October 31.

The budget for 1927 showed revenues of 403,232,037 French francs and expenditures of 403,034,456 francs, a balance of 197,581. The 1927 revenues included 20,978,131 francs surplus of previous years.

In 1926, the population of the territory rose from 773,764 to 786,108, an increase of 12,344 compared with 10,568 in 1925. The number of viable children was 17,571 compared with 18,760 in 1925. There were 8,596 deaths (8,360 in

<sup>1</sup> *Official Journal*, VII, p. 527.

<sup>2</sup> Same, VIII, p. 599.

1925). The excess of births over deaths was 8,975 (10,434 in 1925) and an increase of 3,369 was due to immigration.

In order to unify education, the primary school with a four years' curriculum has been made the standard school of the territory. The preparatory schools for higher educational establishments have been suppressed. The higher schools were transformed into "Reformrealgymnasien" several years ago. The curriculum includes a first stage of three years with French as foreign language, followed by two alternative courses — the "Realgymnasium" with French, English, Latin and mathematics, and a course including instruction in French, English, mathematics and natural science. There are 23 of these schools. Special institutes, the so-called "établissements régionaux d'études," have been founded for pupils who have attended a primary school for seven years and wish to prepare for the university.

A draft decree obliging all young people from 14 to 18 years of age, who have left school, to attend courses relating to their profession for eight hours a week on an average during a period of three years has been approved. Since 1920 more than 500 new training courses, a special school for machine construction, architecture and foremen, a school of industrial art and normal courses for the preparation of staff have been founded. The number of pupils attending the compulsory training college has risen from 3,800 to more than 15,000. More than 100 buildings have been placed at the disposal of these schools.

The Governing Commission founded seven scholarships to enable teachers to attend lectures on international questions at Geneva. It also published, for teachers, a general pamphlet on the work of the League.

During the first three months of 1927, Saar business circles complained of difficulties encountered in export sales. The first steps taken by the commission resulted in a reduction of the price of coal which the Mines Administration agreed to apply without lowering wages; a reduction in railway goods tariffs; and the study of a scheme of reform



as regards taxes on earned income. Subsequently, the State Mines Administration and the Saar Employers' Syndicate decided to proceed to a reduction of wages in order to render possible a further reduction in the price of coal and avoid serious unemployment. The crisis toward the end of the year was somewhat ameliorated by the introduction of "unemployment days," against which workmen organized a protest on August 8. However, dismissals from April 9 to August 31 were only 1.1% of those employed, with none in September. Strikes and labor disturbances were not numerous, though a certain amount of Communist disorder occurred in the course of the year.

On November 10, 1926, the French and German Governments concluded an arrangement adapting the Saar Customs régime to the situation created by the signature of the Steel Trust. This arrangement provides the Saar finishing industry with facilities as regards the duty-free export of its products to Germany in exchange for the duty-free import into Saar of certain products and machines.

The Franco-German agreements relating to the commercial operations of the Saar Territory expired on June 30, but were prolonged. The conclusion of the Franco-German commercial treaty of August 17, 1927 is of considerable importance for the territory. The German and French Governments began negotiations in October with a view to adapting the Franco-German agreement to the situation created by the new commercial treaty.

## 2. Danzig

The questions relating to Polish rights in Danzig which came before the Council during 1927 were connected with the military and naval privileges of the Warsaw Government.

**Westerplatte Munitions Depot.** The Council <sup>1</sup> decided in March, 1924, that the Westerplatte Peninsula in the territory of the Free City should be placed at the disposal

<sup>1</sup> *Official Journal*, V, p. 529, 536, 687.

of the Polish Government for the purpose of unloading, storing and forwarding to Poland war material and explosives in transit. After the completion of the works, the Governments of Danzig and Poland began negotiations under the chairmanship of the High Commissioner, Joost van Hamel, on technical points, such as the right of admittance of Danzig authorities to the Westerplatte area, the control and supervision of the observance of the safety regulations in this area, the manner of regulating customs clearance, regulations applicable to consignments of war material and explosives leaving the Westerplatte area, the definition of "war material" which may be transported. The negotiations having failed, the High Commissioner, in April, 1927, issued regulations to which both the Danzig and Polish Governments raised objections. He then asked the Council in a letter dated May 30, 1927, to give a final decision on the subject. The Council on June 17 postponed a decision owing to lack of time to study the question adequately.<sup>1</sup> The rapporteur, Enrique Villegas (Chile), on September 27<sup>2</sup> informed the Council that the results of his inquiry confirmed the essential points of the High Commissioner's memorandum of April 8, 1927, by which the questions had been settled. The president of the Danzig Senate, and the German representative asked the Council to proceed to a thorough examination of certain legal aspects of the question. The Polish representative stated that his Government would be ready to accept the report as it stood. The legal questions were postponed and the rapporteur was to obtain the opinion of two jurists. On December 12 the Council remitted the matter to direct negotiation.

**Storage and Transport of War Material.** A request from the High Commissioner for instructions as to the procedure to be followed in regard to applications for permission to convey through Danzig war material consigned to a country other than Poland was referred by the Council to the Per-

<sup>1</sup> *Official Journal*, VIII, p. 801.

<sup>2</sup> *Minutes of the 47th Session, Official Journal*, VIII, p. 1423.

manent Advisory Commission on Military, Naval and Air Questions on March 7. A decision of the Council dated June 23, 1921,<sup>1</sup> prohibited the storage and transport in Danzig of war material unless the consent of the Council had been obtained.

The Permanent Advisory Commission on Military, Naval and Air Questions in Geneva on April 6 drew up for the Council a unanimous report to the effect that, from the technical point of view, it saw no objection to the High Commissioner authorizing applications, but that it was desirable that the Council should be informed of the results.

On June 13 the Council authorized the High Commissioner to deal, on its behalf, with requests submitted to him with a view to obtaining the Council's consent to such operations, and directed that it be informed of the results of the applications.<sup>2</sup>

**Manufacture of Aircraft.** The Air Subcommittee of the Permanent Advisory Committee on Military, Naval and Air Questions met at Geneva from July 20-22 under the chairmanship of General Sugiyama (Japan), to consider a question referred to it by the Council concerning the manufacture of aircraft in the Free City of Danzig, on which the Council had placed restrictions in 1921 and 1922. The Council on September 3<sup>3</sup> noted the opinion of the sub-commission and adopted the conclusions of its rapporteur. In the event of a definite request for the establishment of a civil aircraft industry, the High Commissioner would be called upon to supervise that industry in accordance with the instructions of the League. He might, in case of doubt refer the question to the Council, which would, if necessary, ask the air subcommission to establish regulations to assist the High Commissioner in exercising this supervision.

<sup>1</sup> *Official Journal*, II, p. 659.

<sup>2</sup> Same, VIII, p. 748.

<sup>3</sup> *Minutes of the 46th Session, Official Journal*, VIII, p. 1117.

#### XIV. PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW

The third annual session of the Committee of Experts for the Progressive Codification of International Law was held at Geneva from March 22 to April 2. The committee in 1928 will complete the work already begun.

Replies from about 30 Governments to questionnaires submitted to them for their opinion on seven subjects were considered: conflict of laws in the matter of nationality, territorial waters, diplomatic privileges and immunities, the responsibility of states for damages done in their territories to the person or property of foreigners, the procedure of international conferences and procedure for the conclusion and drafting of treaties, suppression of piracy, and the exploitation of the products of the sea. In its report to the Council the committee felt that these questions were ripe for regulation in the near future by international agreement and recommended that one or more conferences should be convened. It drew up a special report on the procedure which might be adopted in preparing such conferences.

**Conference.** The holding of a conference was discussed by the Council on June 13 on the basis of this report. The Committee decided that five questions were practically ready for international regulation and the Council discussion directed itself to them: nationality, territorial waters, diplomatic privileges and immunities, the responsibility of states for damage done in their territories to the person or property of foreigners, and piracy.

M. Zaleski, the rapporteur, proposed that the Council should refer to the Assembly, as matters for its decision, the questions of the convocation of conferences and the methods of preparing their work. Both the rapporteur and Council were in favor of holding a single conference to deal



with as many subjects as possible. August Zaleski was of the opinion that it might be possible to exclude the questions of piracy and diplomatic privileges and immunities from a first conference.

Regarding the method of convening the conference and arranging for the preparatory work, M. Zaleski thought that it would be convened either by the Council, under the auspices and at the expense of the League, or by a Government possessing a traditional interest in the advancement of international law and the special experience necessary for the task, and desiring to act as the mandatory of the League. The arrangements for the preparatory work would depend largely upon the course chosen. The rapporteur considered that the first stage would be to request the Governments to submit full statements of what, in their opinion, was the existing international law and practice on each of the points to be dealt with.

The Assembly settled the matter in a resolution which specified the subjects to be handled in a conference and the circumstances under which it should be convened in 1929.<sup>1</sup>

The United States intends to be represented in the conference.

**The Preparatory Committee.** Appointments were made by the acting president of the Council on November 4 as follows: Professor Jules Basdevant (France); Carlos Castro Ruiz (Chile); Professor François (Netherlands); Sir Cecil Hurst (Great Britain); M. Pilotti (Italy).

The committee will prepare on each question a report giving a detailed basis of discussion, making use, above all, of the work of the Committee of Experts, and to taking account of resolutions already adopted or in process of being framed by the Institute of International Law, the International Law Association and other similar bodies. Lastly, in order to insure the universality of international law, it will take into account the extensive effort at codification made during recent years by the Pan-American Union.

<sup>1</sup> Resolutions and Recommendations adopted by the Assembly during its Eighth Session, p. 9 (*Official Journal*, Spec. Sup. No. 53).

After this preliminary work and general survey of the subjects to be dealt with, the committee will approach the Governments of the states Members and non-Members through the Secretariat. It will draw up a schedule for each question within the program of the conference, indicating the various points suitable for examination. On each point states will be invited to furnish information from the point of view of their positive law, information derived from their own practice, and their wishes as regards possible additions to the rules in force and the manner of making good present deficiencies in international law. At the end of its inquiry, the committee will be in a position to establish the points on which there is agreement or any degree of divergency, in respect of each aspect of the questions. The progress of the work will be examined by the Assembly at its next session.

As no American was included in the committee, an American Advisory Committee on the Codification of International Law was organized under the auspices of the Harvard Law School with the aid of a grant of \$15,000 from the Commonwealth Fund. George W. Wickersham was elected chairman of this committee, which consists of some 35 teachers and practitioners of international law, including the solicitor of the Department of State. The committee plans to prepare a systematic statement of American thought on the subjects to come before the conference.

**Objects and Status.** The codification of international law has played so large a part in public discussions and its purpose, methods and the results obtainable from it have been so diversely interpreted that a clear statement on the League activities was made by the rapporteur to the Council on June 13.<sup>1</sup>

<sup>1</sup> *Official Journal*, VIII, p. 750.

# INDEX

	PAGE		PAGE
Aa, Prof. van der.....	158	Armament — Continued.	
Abbott, Grace.....	153, 154	civil aviation —	
Abyssinia:		committee of experts, meeting	
budget unit of League of Nations	13	of .....	82
member of League of Nations...	1	importance and development of	82
Adams, Thomas S.....	61	resolution of Assembly on....	82
Adatci, Mineichiro.....	4, 16	Conference for the limitation of	
Afghanistan:		naval.....	23
nonmember of League of Nations	2	national defense budgets —	
Agüero y Bethancourt, Aristides de	166	committee of experts on.....	84
Albania:		private manufacture of arms and	
budget unit of League of Nations	13	munitions of war.....	98
member of League of Nations...	1	see League of Nations, private	
Tirana incident.....	20	manufacture of arms.	
Alfaro, G. A.....	139, 144	reduction of —	
Ambassadors, Conference of.....	69, 105	Covenant provision.....	73
American Social Hygiene Association.....	156	Finnish proposal.....	95
Angola.....	178	Soviet Union proposal.....	80-81
Anselmino, Dr.....	151	see also League of Nations,	
Apponyi, Count Albert.....	4, 107	Armaments, reduction of.	
Arbitration:		Armenia:	
compulsory.....	88	refugees in.....	163
Covenant provision on.....	73	scheme for refugee settlement in	163
see Arbitration, security and disarmament, also Protocol for Pacific Settlement.		Ashkenazee Community of Jerusalem	179
Arbitration, security and disarmament:		<i>Auslandsamt der deutschen Studentenschaft</i> .....	134
aggressive wars, condemnation of	76, 86	Australia:	
Art. 11 of Covenant.....	90	budget unit of League of Nations	13
Assembly resolutions —		member of League of Nations...	1
disarmament conference.....	77	Austria:	
wars of aggression.....	88	budget unit of League of Nations	13
committee on arbitration and security —		loan under auspices of League...	66
duties of.....	85	member of League of Nations...	1
meetings.....	85	Avenol, M.....	67
United States not a member of	85	Aviation, committee of experts on	
compulsory arbitration —		civil.....	82
proposal for convention on....	89	Bandini, Christina.....	154
economic sanctions of Art. 16 of		Barboza Carneiro, Julio A.....	53
Covenant.....	92	Barcelona conference on communications and transit.....	168
execution of Art. 11 of Covenant	90	Basdevant, Prof. Jules.....	187
interpretation of Art. 16 of Covenant.....	91	Bech, M.....	4
Polish resolution on wars of aggression.....	87	Belgium:	
Argentina:		budget unit of League of Nations	13
budget unit of League of Nations	13	member of League of Nations...	1
member of League of Nations...	1, 2	Bénes, Edouard.....	4, 85
Armament:		Bernstorff, Count von.....	98
budgetary expenditure.....	80, 84	Bidwell, Percy W.....	37, 44
chemical warfare.....	80	Bishop, William W.....	132
		Blanco, Dr. Velasco.....	139
		Bolivia:	
		budget unit of League of Nations	13
		member of League of Nations...	1

	PAGE		PAGE
Bourgeois, M.....	151	Child Welfare, Conference of South American Experts on.....	139
Bouroff, A.....	70	see also League of Nations.	
Boyden, Roland W.....	37, 38	Chile:	
Brazil:		budget unit of League of Nations	13
budget unit of League of Nations.....	13	member of League of Nations...	1
member of League of Nations...	1	China:	
Breton, Albert.....	58	budget unit of League of Nations	13
Briand, Aristide.....	5, 22, 113, 123	member of League of Nations...	1
address regarding private meetings of Council.....	28-29	Clark, Dr. Taliaffero.....	143
Bridgeman, W. C.....	23	Coleman, Lawrence Vail.....	130
British Empire:		Colijn, H.....	38
member of League of Nations...	1	Colombia:	
see also Great Britain.		budget unit of League of Nations	13
Broggi, Carlo.....	17	member of League of Nations...	1
Brouckère, Louis de.....	5	Commonwealth Fund.....	188
Brunet, Jules.....	53	Communications and Transit:	
Bulgaria:		advisory and technical committee —	
application to Council for loan..	70	meetings.....	170
Armenian refugees in.....	163	members.....	170
budget unit of League of Nations	13	maritime tonnage measurement..	170
convention of 1919 with Greece regarding emigration.....	71	ports and maritime navigation..	170
Greco-Bulgarian emigration commission.....	71	Third General Conference on....	166
liquidation of Greek property...	71	see also League of Nations, Organization for Communications and Transit.	
loan under auspices of League...	66	Conference of Ambassadors.....	105
member of League of Nations...	1	Conference of Health Experts on Infant Welfare, Jan. 17, 1927..	143
reconstruction plan.....	70	Conference of Press Experts, see League of Nations.	
refugee settlement —		Conference on import and export prohibitions and restrictions, see Import and export prohibitions and restrictions, conference on.	
building construction.....	65	Conferences:	
health preservation measures..	65	codification of international law	186
loan authorized by Council....	64	communications and transit.....	166
<i>Bulletin for Scientific Relations</i> ...	131	coordination of economic bibliography.....	131
Buoyage and lighting of coasts...	171	import and export prohibitions..	43
Bureau of Epidemiological Intelligence at Singapore.....	136	infant welfare.....	143
Burnham, Lord.....	118	press experts.....	118
Camp, E. W.....	37	rabies.....	142
Campion, C. A. B.....	53	relief union.....	159
Canada:		Congress of Popular Arts.....	129
budget unit of League of Nations	13	Conner, Benjamin H.....	49, 132
elected to Council.....	6	Convention on execution of foreign arbitral awards:	
member of League of Nations...	1	committee of legal experts.....	48
Cancer.....	146	date of.....	48
Carnegie, Andrew.....	18	draft protocol.....	49
Carreto, Dr. Barros.....	139	meetings.....	49
Carrière, Dr. H.....	151	protocol of 1923.....	48
Carroll, Mitchell B.....	61	Cooper, Duff:	
proposed scheme for control of drug traffic.....	150, 151	motion approving policy of British Government toward League of Nations.....	35
Cecil, Viscount:		Copyright.....	133
resignation from Cabinet.....	23		
views on disarmament.....	24		
Chalmers, Henry.....	37		
Chamberlain, Sir Austen	5, 105, 115		
address before Assembly regarding private meetings of Council.....	29-31		
Chapman, Sir Sidney.....	53		



	PAGE		PAGE
Costa Rica:		Ecuador:	
nonmember of League of Nations	2	nonmember of League of Nations	2
withdrawal from League of Nations, Jan. 1, 1927.....	12	Eddy, Charles B.....	66
Costello, J. A.....	5	Egypt:	
Counterfeiting currency, see League of Nations, Economic and Financial Organization.		nonmember of League of Nations	2
Court of International Justice, the Permanent:		Sanitary Maritime and Quarantine Board.....	137
Art. 36 of statute.....	89	Einstein, Albert.....	124
dispute as to German minorities in Upper Silesia.....	103	Epidemics.....	136
Cuba:		<i>Epidemiological Report</i> .....	137
budget unit of League of Nations elected to Council.....	13	Estonia:	
member of League of Nations...	1	banking and currency reform in..	69
Cumming, Dr. Hugh S.....	135	budget unit of League of Nations	13
Curcin, G.....	53	loan under auspices of League...	66
Customs formalities, international convention on.....	55	member of League of Nations...	1
Czechoslovakia:		Eysinga, W. J. M. van.....	4, 18
budget unit of League of Nations	13	Figueira, Prof.....	144
member of League of Nations...	1	Financial reconstruction:	
Dandurand, Raoul.....	4	Bulgarian refugee settlement....	64
Danzig, Free City of:		Greek refugee settlement.....	65
loan under auspices of League...	66	see also League of Nations.	
see also League of Nations.		Finland:	
Davis, Norman H.....	36, 38	budget unit of League of Nations	13
Dawson, Ralph.....	58	elected to Council.....	6
Delevingne, Sir Malcolm.....	151	member of League of Nations...	1
Denmark:		proposal for financial aid to state victims of aggression.....	96
budget unit of League of Nations	13	Flegenheimer, Julien.....	17
member of League of Nations...	1	Foreign Arbitral Awards, see Convention on Execution of Foreign Arbitral Awards.	
Destrée, Jules.....	124	France:	
Di Nola, A.....	53	agreements with Germany relating to commerce of Saar Territory.....	183
Disarmament:		budget unit of League of Nations	13
conference on.....	74	mandate for Syria and Lebanon	177
Soviet Union proposals for complete.....	80-81	member of League of Nations...	1
Disarmament conference, preparatory commission for, see League of Nations.		note regarding Albano-Serbian incident.....	22
Djebel Druse revolt.....	178	François, Prof.....	187
Dolezal, F.....	53	Frangesch, Otto.....	38
Domeratzky, Dr. Louis.....	37	Franzi, Luigi.....	17
Dominican republic:		Frey, John P.....	37
budget unit of League of Nations	13	Geneva protocol, see Protocol for Pacific Settlement of International Disputes.	
member of League of Nations...	1	Germany:	
Double taxation, see League of Nations, Economic and Financial Organization.		agreements with France relating to commerce of Saar Territory	183
Drugs, see Opium.		budget unit of League of Nations	13
Drummond, Sir Eric.....	9	contribution to Armenian settlement fund.....	165
Durand, Dr. E. Dana.....	36	Germano-Polish convention....	101
Dvoraček, Jan.....	53	interpretation of Arts. 190 and 192 of Versailles treaty.....	110
Eastman, Lucius Root.....	53	Memel question.....	108
Economic Committee, see League of Nations, Economic and Financial Organization.		member of League of Nations...	1
		minority schools in Upper Silesia	100

	PAGE		PAGE
Germany — Continued.		Hamilton, Dr. Alice.....	135
Mixed Arbitral Tribunal.....	110	Harris, S. W.....	154
note regarding Albano-Serbian		Health insurance.....	144
incident.....	22	Health Organization, see League of	
Great Britain:		Nations.	
budget unit of League of Nations	13	Hennings, M.....	148
debate upon the policy of British		Hill, Bert Hodge.....	66
Government toward League of		Hobson, Asher C.....	37
Nations.....	35	Hodáč, F.....	38
Iraq, status of.....	176	Holsti, R.....	85
mandate for Mesopotamia (Iraq)	176	Honduras:	
member of League of Nations...	1	budget unit of League of Nations	13
member of Limitation of Naval		member of League of Nations...	1
Armament Conference.....	23	Hungary:	
note regarding Albano-Serbian		budget unit of League of Nations	13
incident.....	22	loan under auspices of League...	66
treaty relations with Iraq.....	2, 176	member of League of Nations...	1
Greco-Bulgarian emigration com-		Mixed Rumanian and Hungarian	
mission.....	71	Arbitral Tribunal.....	104
Greco-German Mixed Arbitral Tri-		jurisdiction of.....	106
bunal.....	110	property rights in Rumania....	106
Greece:		Hurst, Sir Cecil.....	187
abandoned property of Moslems	65	Hussein Khan Ala.....	4
Armenian refugees in.....	163		
budget unit of League of Nations	13	Import and export prohibitions and	
contribution for Armenian settle-		restrictions, conference on:	
ment fund.....	164	American delegation.....	44
convention with Bulgaria regard-		Arts. 4, 5, 6.....	46
ing emigration.....	71	date of.....	43
cruiser <i>Salamis</i> , contract for		decisions reached.....	45
building of.....	110	denunciation, provisions for....	46
dispute with Germany.....	110	disputes, settlement of.....	47
financial situation.....	67	documents produced.....	45
Greco-Bulgarian emigration com-		draft provisions.....	45
mission.....	71	Dye Stuffs Import Regulations	
interpretation of Arts. 190 and		Act, 1920.....	44
192 of Versailles treaty.....	110	first multilateral treaty regulating	
loan under auspices of League...	66	commercial relations.....	45
liquidation of Bulgarian property	71	problems discussed.....	44
member of League of Nations...	1	protection of animals and plants	
Mixed Arbitral Tribunal.....	110	against disease.....	47
refugee settlement —		reservations.....	46
land survey.....	65	states represented.....	44
protocol.....	66	states signing convention.....	48
Settlement Commission.....	67	India:	
Groves, H. Lawrence.....	44	budget unit of League of Nations	13
Guani, Alberto.....	4, 18	member of League of Nations...	1
Guatemala:		Infant mortality.....	139
budget unit of League of Nations	13	Influenza.....	136
member of League of Nations...	1	Institute of International Law...	187
Gubetich, Dr. A.....	139	Intellectual Workers Advisory	
Guerrero, J. Gustavo.....	4, 167	Committee.....	123
Guggenheim, Harry F.....	82	Inter-Governmental Conference on	
		Refugees.....	165
Haiti:		International Air Traffic Association	172
budget unit of League of Nations	13	International Chamber of Com-	
member of League of Nations...	1	merce.....	52
Hambro, Carl J.....	4	International Commission for Air	
address before Assembly regard-		Navigation.....	97
ing private meetings of Council 25-26		International Conference on Sleep-	
Hamel, Joost van.....	184	ing Sickness, London 1925....	146

# INDEX

v

	PAGE		PAGE
International Economic Conference:		International Rabies Conference,	
acceptance of results.....	39	April 25, 1927.....	142
agriculture.....	38	International Railway Union.....	192
American delegation.....	36	International Relief Union.....	159
Assembly resolution.....	39	see also League of Nations.	
commerce.....	38	International Student Service.....	134
commissions.....	38	International Students' Confedera-	
conclusions.....	40-41	tion.....	134
Coordination Committee.....	39	International Students' Organiza-	
date of.....	36	tions.....	134
delegates.....	36	International Union of the "Save	
qualifications of.....	37	the Children" Fund.....	157
discussions.....	38	International University Federation	
Economic Organization.....	49	for the League of Nations.....	134
Final Report.....	39	Iraq:	
states accepting.....	40	candidate for admission to League	
foreign nationals, treatment of..	54	of Nations.....	177
industry.....	38	independence of.....	176
organization of.....	37	treaty relations with Great	
purpose of.....	38	Britain.....	2, 176, 186
Preparatory Committee, work of	37, 50	Irish Free State:	
"Report and Proceedings of the		budget unit of League of Nations	13
World Economic Conference"	43	member of League of Nations...	1
resolutions —		Ishii, Viscount.....	105
armament expenditure.....	42	Italy:	
education and publicity.....	42	budget unit of League of Nations	13
economic tendencies affecting		member of League of Nations...	1
the peace of the world.....	41	note regarding Albano-Serbian	
pacific commercial cooperation	42	incident.....	22
statistics of production and con-		Jahn, G.....	53
sumption.....	40	James, Colonel S. P.....	145
tariff nomenclature.....	56	Japan:	
International Federation of Uni-		budget unit of League of Nations	13
versity Women.....	134	member of League of Nations...	1
International Institute of Intellect-		member of Naval Armament Con-	
ual Cooperation, see League		ference.....	23
of Nations.		Jensen, Adolph.....	53
International Labor Office, see In-		Jeppe, Karen.....	158
ternational Labor Organiza-		Jewish immigration.....	179
tion.		Johnson, Bascom.....	154
International Labor Organization:		Johnston, W. Dawson.....	132
conference of 1919.....	56	Jones, Grosvenor M.....	37
International Labor Office —		Jouvenel, Henry de.....	22, 23
employment of refugees.....	162	Kaphandaris, M.....	67
members on Intellectual Work-		Kellogg, Vernon L.....	134
ers Advisory Committee....	123	Kittredge, T. B.....	161, 162
memorandum on unemploy-		Kjelstrup, V.....	173
ment.....	55	Klein, Julius.....	36
International law:		Kulz, M.....	158
American advisory committee on		Labor Office, see International La-	
codification of.....	188	bor Organization.	
progressive codification of....	186-188	Lange, Christian.....	148
see also League of Nations, codi-		Lathrop, Julia.....	153
fication.		Latvia:	
International Law Association....	187	budget unit of League of Nations	13
International Museum Office.....	129	member of League of Nations...	1
International Office for Annual		Lausanne convention.....	65, 173
Tables of Constants and Math-			
ematical Quantities.....	132		
International Pacific Health Con-			
ference, Dec. 15, 1926.....	141		

	PAGE		PAGE
League of Nations:		League of Nations — Continued.	
AA cable code.....	137	bibliography, subcommittee on..	131
Advisory and Technical Com-		bills of exchange.....	58
mittee on Communications		British parliamentary vote on..	35
and Transit.....	169	budget.....	12, 14
Advisory Commission for the		buildings.....	16
Protection and Welfare of		Bulgarian refugee settlement....	64
Children and Young People —		buoyage and lighting of coasts...	171
meetings.....	153	Bureau of Epidemiological In-	
Advisory Committee on Traffic in		telligence at Singapore.....	136
Opium —		Cecil resignation.....	23
meetings.....	147	Child Welfare Committee —	
see also Opium.		age of marriage and consent...	153
aircraft.....	97	blind children, report of Fran-	
American gift for League library	17	çois Martin on.....	158
arbitration —		family allowances.....	158
Covenant provisions on.....	73	illegitimate children.....	157
see also Arbitration, security		juvenile courts.....	158
and disarmament.		minors, relief of.....	157
armaments, reduction of —		moving pictures, inquiry on	
provisions of Art. 8.....	73	effects of.....	153
Soviet Union proposal for....	80	see also League of Nations,	
see also Armament.		women and children, trafficin.	
Assembly —		civil aviation.....	82
administrative tribunal set up		codification of international law —	
by Seventh.....	11	committee of experts on pro-	
Agenda Committee.....	5	gressive.....	186
committees.....	4	conference.....	186
delegations to Eighth.....	3	diplomatic privileges and im-	
General Committee.....	5	munities.....	186
meeting of Eighth.....	3-5	exploitation of maritime re-	
protection of women and chil-		sources.....	186
dren in the Near East.....	158	nationality.....	186
report of Third Committee of		objects and status reported to	
Eighth on compulsory arbi-		Council.....	188
tration.....	89	piracy.....	186
resolutions —		preparatory committee.....	187
adopted by Fifth, Sept. 25,		responsibility of states for dam-	
1924.....	43	ages.....	186
adopted by Seventh, Sept.		territorial waters.....	186
25, 1926.....	87	work of Pan American Union..	187
arbitration, security and dis-		Commission of Control, see	
armament.....	85, 90	Supervisory Commission.	
civil aviation, Sept. 26, 1927	82	committee for protection of chil-	
disarmament.....	77	dren, see Child Welfare Com-	
financial aid for security....	96	mittee.	
health cooperation in Latin		Committee of the Council —	
America.....	140	meeting.....	89
instruction of youth.....	124	report adopted by Council....	90
international economic con-		communications and transit, see	
ference.....	39, 51	Organization for Communica-	
opium reduction in Persia..	149	tion and Transit.	
prohibition of wars of aggres-		competition for League buildings	16
sion.....	76, 86	Conference of Press Experts —	
work of committee on arbi-		ensorship.....	121
tration and security.....	85	date of.....	118
vice-presidents of.....	5	journalists.....	120
work of Third Committee of		moral disarmament.....	122
Eighth.....	89	publication or distribution of	
Assembly Hall.....	16	tendencious news.....	121
Barcelona conference.....	168	resolutions.....	119



	PAGE		PAGE
League of Nations — Continued.		League of Nations — Continued.	
Conference of South American		resolutions —	
Experts on Child Welfare,		establishment of Interna-	
June 7, 1927.....	139	tional Relief Union, Dec.	
Conference on import and export		10, 1927.....	159
prohibitions and restrictions.	43-48	Iraq.....	176
see Import and export prohibi-		Lithuanian-Polish relations..	116
tions and restrictions, con-		regarding Art. 16 of Cove-	
ference on.		nant.....	91
Congress of Popular Arts.....	129	Saar Basin.....	180
Convention on Execution of		Rumanian dispute.....	104
Foreign Arbitral Awards.....	48	sessions.....	7
copyright.....	133	Special Body of Experts for	
Council —		traffic in women and children	153
action on German minority		Tirana incident.....	21
schools in Upper Silesia....	102	counterfeiting currency, mixed	
action on report of Straits		committee for suppression of..	63
Commission.....	174	Covenant —	
appeal of Lithuania in dispute		Art. 4.....	7
with Poland.....	114	Art. 8 on reduction of arma-	
appointment of commission for		ment.....	73
refugee settlement.....	163	Art. 11, operation of.....	89
appointment of additional		Art. 12 on arbitration.....	73, 74
member to Permanent Man-		interpretation of Art. 16.....	91
dates Commission.....	175	action of nonmembers of	
appointment of provisional		League.....	94
Economic and Financial		war not excluded by.....	87
Committee.....	50	customs formalities, international	
banking and currency reform		convention on.....	55
in Estonia.....	69	Danzig, Free City of —	
decision as to Westerplatte		customs formalities.....	69
Peninsula.....	184	manufacture of aircraft in....	185
disputes.....	100-117	municipal loan.....	69
Economic Committee as organ		Polish rights in.....	183
for "economic affairs".....	51	transport of war material in...	184
Greco-German affair over the		Westerplatte munitions depot.	183
<i>Salamis</i> .....	110	disarmament conference, prepar-	
Greek stabilization and refugee		atory commission for —	
loan.....	66-68	draft convention.....	79
Lithuanian-Polish relations...	112	private manufacture of arms...	99
meetings.....	5, 8	program of future work.....	77
facilitation of.....	90	purpose of.....	74
members.....	5	questionnaire.....	76
methods for prevention of war,		representatives at.....	78
investigation of.....	89	sessions.....	78
nonpermanent members.....	6	Soviet Union proposals for	
permanent members.....	6	complete disarmament.....	80-81
private meetings.....	24	work of.....	76
address of M. Hambro before		disputes —	
Assembly.....	25-26	cruiser <i>Salamis</i> .....	109-112
argument of M. Politis on...	27-28	Hungaro-Rumanian Mixed Ar-	
British view.....	29-31	bitral Tribunal.....	104-108
French view.....	28-29	Lithuanian-Polish relations..	112-117
prohibition of transport of war		Memel elections.....	108
material in Danzig.....	185	Upper Silesia, German minor-	
proportional representation...	6	ities in.....	100-104
provisions of Art. 8 of Covenant		double taxation.....	60
rappoteurs.....	8, 9	Economic and Financial Organ-	
ratification of convention of		ization —	
Second Opium Conference		banking and currency reform	
urged by.....	147	in Estonia.....	69

	PAGE		PAGE
League of Nations — Continued.		League of Nations — Continued.	
bills of exchange and checks..	58	Estonian banking and currency	
Bulgarian refugee settlement..	64	reform.....	69
Consultative Committee —		false customs declarations.....	58
membership.....	52	final draft of constitution.....	75
purpose of.....	51	financial reconstruction —	
counterfeiting currency, mixed		application by Portugal for	
commission on —		loan.....	71
draft convention.....	63	banking and currency on Es-	
meetings.....	63	tonia.....	69
members.....	63	Bulgarian application to Coun-	
customs formalities.....	55	cil for loan.....	70
Danzig loans.....	68	Danzig loans.....	68
double taxation —		Greek stabilization and refugee	
committee of experts on.....	60	loan.....	66
draft conventions.....	61	liquidation of properties on	
Economic and Financial Com-		Greece and Bulgaria.....	71
mission.....	50	foreign nationals, treatment of..	54
Economic Committee —		forum.....	20
commercial policy, work re-		Greco-Bulgarian emigration com-	
garding.....	54	mission.....	71
committee of experts on tar-		Greek stabilization and refugee	
iff nomenclature.....	56	loan.....	66-68
equality of treatment.....	54	Health Organization —	
list of members.....	53	Advisory Council, duties of...	137
meetings.....	53	cancer commission.....	146
membership.....	51	Conference of Health Experts	
resolution passed by Council		on Infant Welfare, Jan. 17,	
establishing.....	51	1927.....	143
rights of.....	52	Conference of South American	
tariffs, international action		Experts on Child Welfare,	
regarding.....	54	June 7, 1927.....	139
treatment of foreign na-		epidemic activities.....	136-138
tionals and companies....	54	<i>Epidemiological Report</i> .....	137
treaty-making methods....	54	Health Committee —	
economic crises, mixed com-		meetings of.....	135
mittee on.....	55	Office International, cooper-	
emigration between Bulgaria		ation with.....	135
and Greece.....	71	wireless code, question of...	137
Estonian banking and currency		work of ninth session.....	143
reform.....	69	infantile mortality in South	
false customs declarations....	58	America.....	139
Financial Committee —		influenza epidemic.....	136
meetings.....	60	insurance, its relation to public	
foreign nationals, treatment of.	54	health services.....	144
Greek refugee settlement.....	65	International Pacific Health	
loan contracts.....	66-72	Conference, Dec. 15, 1926...	141
nomenclature, preliminary		International Rabies Confer-	
draft on tariff.....	57	ence.....	142
object of.....	50	leprosy, study of.....	141
provisional committee.....	50	malaria commission.....	145
public works, execution of...	56	opium commission.....	135
statistics.....	59	permanent standards commis-	
tariff nomenclature.....	56	sion.....	135
tax evasion.....	61	public services.....	144
unemployment.....	55	sanitary convention of 1926...	135
Economic Conference, Interna-		Singapore bureau commission..	135
tional.....	36-43	sleeping sickness, international	
educational information centers..	125	commission on.....	146
emigration between Bulgaria and		smallpox commission.....	135
Greece.....	71	syphilis, study of.....	141

	PAGE		PAGE
League of Nations — Continued.		League of Nations — Continued.	
vaccination commission.....	135	International Commission for Air	
Hungarian optants in Rumania..	104	Navigation.....	97
identity documents for persons		International Economic Confer-	
without nationality.....	168	ence.....	36-43
inland navigation.....	170	International Exhibition of Pop-	
Institute of Intellectual Coopera-		ular Arts.....	129
tion —		International Institute of Intel-	
arts and letters, subcommittee		lectual Cooperation.	
on.....	129	see League of Nations, Insti-	
general information concerning	127	tute of Intellectual Coopera-	
Governing Body.....	122	tion.	
International Museum Office..	129	international law, progressive	
motion picture conference....	128	codification of.....	186-188
national delegates.....	128	see also League of Nations,	
protection of natural beauty		codification.	
spots.....	129	International Museum Office....	129
scientific relations section....	131	International Rabies Conference,	
seat of.....	127	April 25, 1927.....	142
students' organizations.....	134	International Relief Union —	
theatre.....	129	activities.....	160
university relations section....	133	conference for establishment	
instruction of youth, Assembly		of —	
resolution on.....	124	delegates to.....	159
Intellectual Cooperation, Com-		meeting.....	159
mittee on —		conditions for coming into	
bibliography, subcommittee on	131	force.....	161
Committee of Museum Repre-		statutes.....	161
sentatives.....	130	cooperation of American Red	
coordination of libraries.....	131	Cross.....	162
copyright.....	133	Executive Committee —	
educational information centers	125	duties.....	161
Institute of Intellectual Coop-		meetings.....	161
eration, see League of Na-		members.....	161
tions.		General Council —	
instruction in schools.....	125	meetings.....	161
intellectual rights, subcommit-		members.....	161
tee on.....	132	object of.....	159
Intellectual Workers Advisory		resources.....	160
Committee.....	123	seat of.....	160
international artistic yearbook	129	International University Fed-	
international translation office	129	eration for the League of Na-	
mathematical quantities.....	132	tions.....	134
meetings.....	122	Iraq —	
members.....	122	candidate for admission to	
promotion of study of League..	126	League.....	177
<i>Mouaison</i> .....	130	liaison offices.....	9
museums.....	130	mandated territories —	
national committees.....	123	examination of reports.....	176
quality of official documents...	132	history of.....	175
scientific property, protection		Permanent Mandates Commis-	
of.....	132	sion.....	175
status of international law asso-		petitions.....	179
ciations.....	132	status of.....	178
subcommittees.....	124	maritime blockade.....	92
university relations, subcom-		members.....	1
mittee on.....	133	Memel territory —	
Intellectual Workers Advisory		elections.....	109
Committee.....	123	statute, Art. 8.....	108
International Association of Jour-		methods for promotion of study	
nalists.....	118	of.....	126

	PAGE
League of Nations — Continued.	
minorities.....	100
mixed committee on economic crises.....	55
Motion Picture Conference, First International.....	128
National defense budgets.....	84
see also Armament.	
news, protection of.....	120
nonmembers.....	2
obscene publications, convention of 1923 on.....	156
opium —	
Cavazzoni proposal.....	150
commission of inquiry on Persian production.....	149
convention of 1925 —	
reservations of Sweden with regard to Art. 6 (c).....	148
illicit traffic.....	152
Permanent Central Board, budget of.....	148
production.....	149
second conference.....	147
see also Advisory Committee on Traffic, and Opium.	
Organization for Communica-	
tions and Transit —	
advisory and technical com-	
mittee.....	169
air transport.....	172
aircraft.....	97
Barcelona conference 1921....	168
buoyage and lighting of coasts,	
committee for.....	171
central service.....	90
collection of information on...	169
committee on statistics in in-	
land navigation.....	170
communication with Geneva...	96
conventions and statutes on —	
freedom of transit.....	167
international régime of mari-	
time ports.....	167
international régime of rail-	
ways.....	167
régime of navigable water-	
ways of international con-	
cern.....	167
identity documents.....	168
inland navigation.....	170
maritime tonnage measure-	
ment, technical committee	
for.....	170
Memel Harbor Board, report of	173
passports.....	168
ports and maritime navigation	170
rail transport.....	172
road traffic.....	172
rules, revision of.....	168
straits commission.....	173

	PAGE
League of Nations — Continued.	
telephonic communication....	97
Third General Conference —	
committees.....	167
delegates.....	166
resolutions.....	167, 169
Transit Committee —	
proposals to facilitate Coun-	
cil meetings.....	90
treatment of masters and crews	
in ports.....	172
wireless station.....	97
organs.....	1-19
pacific settlement of disputes....	73
Passport Conference.....	168
Permanent Advisory Commission	
on Military, Naval and Air	
Questions.....	185
Permanent Mandates Commis-	
sion —	
meetings.....	175
petitions.....	179
policy of British Government	
toward.....	35
ports and maritime navigation...	170
Press Experts Conference.....	118-122
private manufacture of arms and	
munitions of war —	
special commission for prepara-	
tion of draft convention on..	98
statement of United States	
delegation on.....	99
protection of women and children	
in the Near East.....	158
protocol for the pacific settlement	
of international disputes.....	74
public health personnel, inter-	
change of.....	138
Ramsay MacDonald motion de-	
ploring policy of British Gov-	
ernment toward.....	35
refugees —	
Armenian settlement scheme..	163
Bulgarian settlement scheme..	64
contributions for settlement of	164
expenditure for maintenance of	165
Greek settlement scheme.....	65
high commissioner for.....	162
road traffic.....	172
Rockefeller gift to library.....	19
Saar Basin —	
advisory council.....	181
budget.....	181
Council resolution on.....	180
export sales.....	182
Franco-German agreements rel-	
ative to commerce of.....	183
French troops in territory of...	181
Governing Commission.....	180
housing control.....	181
population.....	181



# INDEX

xi

	PAGE		PAGE
League of Nations — Continued.		League of Nations — Continued.	
railroads.....	181	wireless station.....	97
schools.....	182	women and children, traffic in —	
technical council.....	181	advisory commission for the	
unemployment crisis.....	183	protection and welfare of	
Secretariat —		children and young people..	153
administrative commissions...	10	age of marriage and consent...	153
administrative tribunal for		committee for protection of	
Staff disputes.....	11	children, see Child Welfare	
appointment to.....	9	Committee.	
Deputy Secretary-General...	9	licensed houses.....	156
disarmament section.....	10	protection of women and chil-	
distribution branch.....	10	dren in the Near East.....	158
drafting committee.....	10	Special Body of Experts —	
economic and financial section	10	meetings.....	155
expenditure.....	11	report of.....	154
general organization.....	9	League of Red Cross Societies...159, 161	
health section.....	10	Lebanon:	
information section.....	9	contribution for Armenian refu-	
intellectual cooperation section	9, 10	gee settlement.....	164
internal administration.....	9	Lefèvre, Camille.....	17
internal control office.....	10	Leprosy.....	141
international bureaux section..	9	Liberia:	
interpreters and translators...	10	budget unit of League of Nations	13
legal section.....	10	member of League of Nations...	1
library.....	10	Lindsay, H. A. F.....	53
mandates section.....	10	Linthicum Foundation.....	133
members.....	9	Lithuania:	
minorities questions.....	10	agreement with Poland of Oct. 7,	
opium traffic.....	10	1920.....	113
personnel.....	10	budget unit of League of Na-	
political section.....	9	tions.....	13
précis-writing department....	10	dispute with Poland respecting	
printing and publications de-		Vilna.....	112
partment.....	10	member of League of Nations...	1
registry.....	10	Memel question.....	108
schedule of communications...	91	persecutions in Vilna.....	114
Secretary-General.....	9, 91	Polish nationals expelled into...	115
social questions.....	10	statement of M. Zaleski as to	
special organizations.....	10	charges against Poland by....	115
transit section.....	10	Loh, Cheng.....	115
Under Secretaries-General....	9	London, treaty of, Art. 8.....	2
work, increase of.....	10	Lorentz, Prof. H. A.....	122
statistics.....	59	Luc, M. le.....	154
Straits Commission.....	173	Luisi, Dr. Paulina.....	154
supervisory commission.....	11, 15	Luxemburg:	
tariff nomenclature.....	56	budget unit of League of Nations	13
telephonic communication.....	97	member of League of Nations...	1
Tirana incident.....	20	Lyon, Charles E.....	44
tonnage measurement.....	170	MacDonald, Ramsay.....	35
traffic in women and children, see		motion deploring policy of British	
Women, traffic in.		Government toward League of	
transit, see League of Nations,		Nations.....	35
Organization for Communica-		MacKenna, Dr. Calvo.....	139
tions and Transit.		Madsen, Dr. Thorvald.....	139
unemployment.....	56	Malaria.....	145
unit for 1928.....	13	Mandates, see League of Nations,	
units allocated to Member states	13	mandated territories.	
United States —		Martin, François.....	158
payments by.....	14	Matsuyama, M.....	53
Upper Silesian Mixed Commission	100		

	PAGE		PAGE
Matthews, Annabel.....	61	O'Leary, John W.....	36
Maus, Isidore.....	154	Opium:	
May, Herbert L.....	147	Advisory Committee on Traffic in	
Memel convention.....	108	Opium, see League of Nations.	
Memel, Port of.....	173	Cavazzoni proposal.....	150
Mensdorff-Pouilly-Dietrichstein,		commission of inquiry on Persian	
Count Albert.....	5	production.....	149
Mesopotamia.....	176	control of manufacture.....	149
Meuron, M. de.....	154	convention of 1912.....	150
Mexico:		convention of 1925 —	
nonmember of League of Nations	2	ratification of.....	147
Miles, Basil.....	37	reservations of Sweden with	
Military Sovereign Order of the		regard to Art. 6 (c).....	148
Knights of Malta.....	159	factories.....	152
Millikan, Robert A.....	122	illicit traffic.....	152
Minorities:		medical and scientific uses of....	152
German minorities in Upper Si-		obstacles to limitation of produc-	
lesia.....	100	tion.....	149
rights of religions.....	179	Permanent Central Board, budget	
Mixed Rumanian and Hungarian		of.....	148
Arbital Tribunal.....	104	Persian Government's efforts to	
Molloff, Wl.....	70	curtail production of.....	149
Morales, Dr. Eusebio A.....	5	Second Conference.....	147
address before Eighth Assembly		final act.....	148
on American-Panaman treaty	32-35	Osusky, Stefan.....	18
Moran, W. H.....	63		
Morquio, Dr. Luis.....	139, 143	Palestine Arab Congress.....	179
Motion Picture Conference, First		Pan-American Union.....	187
International.....	128	Panama:	
Motta, Giuseppe.....	4, 18	budget unit of League of Nations	13
<i>Mouseion</i> .....	130	convention with United States	
Mowrer, Paul Scott.....	118	regarding American rights in	
Murray, Prof. Gilbert.....	122	Canal Zone, 1926.....	31, 33
Museums.....	130	Art. XI.....	31, 34
		member of League of Nations...	1
Nansen, Dr. Fridtjof:		treaty with United States, 1903..	31, 32
employment of refugees.....	162	Panama Canal Zone régime.....	31
proposal for Armenian refugee		Paraguay:	
settlement.....	163	budget unit of League of Nations	13
Narcotics, see Opium.		member of League of Nations...	1
National Conference of Social Work	153	Paris Institute of Hygiene.....	138
National defense budgets.....	84	Passport Conference.....	168
Neculcea, Eugène.....	53	"Pax Romana".....	134
Nejd, Sultanate of:		Permanent Committee for Ports	
nonmember of League of Nations	2	and Maritime Navigation....	170
Nemours, Alfred.....	5	Persia:	
Nénot, H. P.....	17	budget unit of League of Nations	13
Netherlands:		member of League of Nations...	1
budget unit of League of Nations	13	opium —	
member of League of Nations...	1	efforts of Government to cur-	
New Zealand:		tail production of.....	149
budget unit of League of Na-		Peru:	
tions.....	13	budget unit of League of Nations	13
member of League of Nations...	1	member of League of Nations...	1
Nicaragua:		Pilotti, M.....	187
budget unit of League of Nations	13	Pilsudski, Marshal.....	113
member of League of Nations...	1	Poland:	
Noblemaire, Georges.....	15	agreement with Lithuania of	
Norway:		Oct. 7, 1920.....	113
budget unit of League of Nations	13	annexation of Vilna to.....	113
member of League of Nations...	1	budget unit of League of Nations	13

	PAGE		PAGE
Poland — Continued.		Rumania — Continued.	
dispute with Lithuania respecting		contribution for Armenian settle-	
Vilna.....	112	ment fund.....	164
expulsion of Polish nationals into		Hungarian property rights in....	106
Lithuania.....	115	member of League of Nations....	1
Germano-Polish convention.....	101	Mixed Rumanian and Hungarian	
member of League of Nations....	1	Arbitral Tribunal.....	104
relations with Danzig.....	183	jurisdiction of.....	106
resolution prohibiting wars of		Russian Union of Socialist Soviet	
aggression.....	87	Republics, see Soviet Union.	
statement of M. Zaleski as to		Rutgers, V. H.....	85
Lithuanian charges against... 115			
Upper Silesia —		Saar Basin, see League of Nations.	
German minorities in.....	100	<i>Salamis</i> affair.....	110
schools in.....	100	Salvador:	
Westerplatte Peninsula.....	184	budget unit of League of Nations	13
Politis, Nicolas.....	16, 78, 85, 110	member of League of Nations....	1
address before Assembly regard-		Sanitary Maritime and Quar-	
ing private meetings of Council	26-28	antine Board of Egypt.....	137
Ports, see League of Nations, Or-		Schramm, Jacob R.....	131
ganization for Communication		Schubert, Dr. von.....	111
and Transit.		Schüller, R.....	53
Portugal:		Schumans, Wilis.....	5
application to Council for loan... 71		Scialoja, Vittorio.....	5
budget unit of League of Nations	13	Seidell, Dr. Atherton.....	143
loan under auspices of League... 66		Serb-Croat-Slovene State:	
member of League of Nations.... 1		budget unit of League of Nations	13
Press Experts Conference.....	118-122	member of League of Nations....	1
Principal Allied and Associated		member of Little Entente.....	21
Powers.....	176	Tirana incident.....	21
Private manufacture of arms.....	98	Serruys, Daniel.....	53
Protocol for pacific settlement of		Shore, Dr. C. A.....	143
international disputes:		Siam:	
disarmament conference.....	74	budget unit of League of Nations	13
failure to command support....	74	member of League of Nations....	1
origin of.....	74	Sinel De Cordes, Joâs J.....	71
theory of.....	74	Singapore Bureau of Epidemiologi-	
Rajchmann, Dr. Ludwik.....	139	cal Intelligence.....	135-137
Red Cross, American.....	162	Sleeping sickness.....	146
Red Cross Societies, League of... 159, 161		Smith, Jeremiah, Jr.....	60
Refugees, see League of Nations.		Snow, Dr. William F.....	154
Regnault, M.....	153	Sokal, François.....	5, 86
Relief of peoples overtaken by		South Africa:	
disaster.....	159	agreement of June 22, 1926, with	
Reparation Commission.....	69	Portuguese Government.....	178
Restrepo, Dr. A. J.....	5	budget unit of League of Nations	13
Reynold, Gonzague de.....	134	mandate for South West Africa..	178
Road traffic.....	172	member of League of Nations....	1
Robinson, Henry M.....	36, 38	Soviet Union:	
Rockefeller Foundation.....	19	naval forces in Black Sea.....	174
Rockefeller, John D., Jr. —		nonmember of League of Nations	2
gift of Library building.....	18	proposals for abolition of all	
message to Secretary-General of		armament.....	80-81
League of Nations.....	19	Spain:	
Ruelle, M. de.....	167	budget unit of League of Nations	13
Ruiz, Carlos Castro.....	187	member of League of Nations....	1
Rumania:		Statistics:	
agrarian law.....	106	committee of experts.....	59
budget unit of League of Na-		contemplated conference on....	59
tions.....	13	Preparatory Committee on Sta-	
		tistical Methodology.....	60

	PAGE		PAGE
Straits Commission.....	173	United States — Continued.	
Stresemann, Dr. Gustav.....	5, 108, 113	reason why nonmember of com-	
Stucki, W.....	53	mittee on arbitration and	
Sugiyama, Genl.....	185	security.....	85
Suzuki, M.....	154	treaty with Panama, 1903.....	31
Sweden:		abrogation of.....	32
budget unit of League of Nations	13	Upper Silesia:	
member of League of Nations...	1	Council action on minority	
reservations in regard to Art. 6 (c)		schools in.....	102
of the convention of Second		Geneva convention.....	100
Opium Conference.....	148	German minority schools in	
Swellingrebel, Prof. N. H.....	145	Polish.....	100
Switzerland:		Mixed Commission.....	100
budget unit of League of Nations	13	Urrutia, Dr. Francisco José.....	16, 102
member of League of Nations...	1	Uruguay:	
Syria:		budget unit of League of Nations	13
Armenian refugees in.....	163	member of League of Nations...	1
mandate.....	177	Vaccaro, Giuseppe.....	17
refugees, number of.....	164	Vago, Giuseppe.....	17
Syro-Palestinian Committee.....	179	Van Blokland, M. Beelaerts.....	115
Tanakadate, Aikitu.....	122	Vandervelde, Emile.....	6
Tariff nomenclature.....	56	Varnvaidyakara, H. H. Prince....	5
Taxation, double.....	60	Vasconcellos, Dr. Augusto de.....	4
Tax evasion.....	61	Venezuela:	
Taylor, Alonzo E.....	36	budget unit of League of Nations	13
Theunis, Georges.....	36, 39	member of League of Nations...	1
Thompson, J. David.....	122, 131, 134	Versailles, treaty of.....	178
Tirana incident.....	20	Veverka, Ferdinand.....	4
Titulesco, Nicolas.....	108	Villegas, Enrique.....	3, 105, 184
Titus, Norman F.....	169	Vilna, dispute over territory of...	112
Togoland, French.....	179	Voldemaras, Premier.....	108, 113, 115
Traffic in Women and Children, see		War:	
League of Nations, Women and		aggression and pacific settlement.	86
Children, traffic in.		Assembly resolution on aggressive	88
Trendelenburg, Ernst.....	53	state of, from legal point of view	92
Trianon, treaty of.....	107	Westerplatte munitions depot....	183
Arts. 239 and 250.....	104	Wettum, W. G. van.....	151
Tuck, Somerville Pinkney....	37, 44, 147	Wickersham, George W.....	188
Turkey:		Wilson, Hugh R.....	44, 167
nonmember of League of Nations	2	Winslow, C.-E. A.....	135
passage of warships through the		Woods, Col. Arthur.....	147, 152
Straits.....	173	Woodward, Stanley.....	147
Union of Socialist Soviet Republics,		World Student Christian Federa-	
see Soviet Union.		tion.....	134
United States:		World Union of Jewish Students...	134
American gift for library of		Worley, H. F.....	44
League of Nations.....	17	Young, Arthur N.....	36
convention with Panama regard-		Young, Edward Hilton.....	16
ing American rights in Canal		Zahle, Herluf.....	4
Zone, 1926.....	31, 33	Zaleski, Auguste:	
Art. XI.....	31, 34	rapporteur on codification of in-	
delegation to International Eco-		ternational law.....	186
nomic Conference.....	36	statement as to Lithuanian	
League of Nations —		charges against Poland.....	115
payments to Secretariat of...	14	Zeligowski, Genl.....	112
member of naval armament con-		Zionist Organization.....	179
ference.....	23		
nonmember of League of Nations	2		









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